

**Milton Town Council Meeting
Milton Library, 121 Union Street
Monday, March 2, 2015, 6:30pm**

**Minutes are Not Verbatim
Transcriptionist: Helene Rodgville**

1. Call to Order – Mayor Jones
2. Moment of Silence
3. Pledge of Allegiance to the Flag
4. Roll Call – Mayor Jones

Councilman Garde	Present
Councilman West	Present
Councilwoman Patterson	Present
Councilman Coté	Present
Councilwoman Parker-Selby	Present
Councilman Kost	Present
Mayor Jones	Present
5. Public Participation
 - Ginny Weeks, 219 Clifton Street: I want to speak to you tonight about the 2010 Comprehensive Plan. I read the Resolution that you have to _____ tonight, where State Planning Coordination accepted your November 25th letter and documentation of the town redoing it's 2010 Comprehensive Plan, not requiring the Town of Milton to seek an extension; instead certifying the 2010 Comprehensive Plan valid until said updates have been adopted by 2020. I want to say I was Chairman of the Planning and Zoning at the time. Councilman Kost, I believe you were on Planning and Zoning. We were not permitted by the administration at that time to review the maps, or by our URS consultant, actually; who sort of blindsided us and went before the Town Council in I believe, August of 2009 and asked the Town Council to pass a motion limiting us in reviewing the Comprehensive Plan to about 50 pages; and like the first 50 page where all the statistics are. What are we doing in the parks? What are we doing there? We didn't review maps, we didn't review any of the state mandated things on the list of 42 or 43; nothing was done; we weren't permitted. We did go ahead and review the growth map, because there were some concerns; we have 141 acres in our growth area that are deemed industrial, but we would consider them, but even more concerned we were about Route 16 where Elizabethtown is supposed to be; and that's marked CR-1; which is mixed residential. That's been like that since I think, 1998 or 2005, or something. We don't have that zoning designation and so when I see tonight a Resolution to hire somebody to do a rewrite, I'm hoping that you're not going to deviate from the path that Planning and Zoning has so aptly taken, until this point, because we need to have that plan updated, desperately and badly. Things have changed. We have illegal zoning designations. We haven't really looked at anything in 15 years and I don't know how the State got the information that it was a complete update, but it wasn't. Thank you.
Mayor Jones: Let me just answer you, to say, that what we're doing here tonight for the first time is making sure that all of Council is also up to speed; that it appears some of

the information has changed coming to us from the State. We have a little bit more breathing room to finish up the Plan and for me, it's just meant going back through a set of minutes I just read, the last meeting, where you were still advocating in September that we please look for some type of a Planner. We all have to discuss this in public, that's why it's here tonight to start the discussion.

Ginny Weeks: I would hope so. I just hope that you continue on the in-depth review that's been going on, because it's vitally important to the town. And second of all, that before the Town Administrator writes the Request for Proposal, that you give her a specific list of requirements of what you want and what the work is to be; that you draft it. God love Mrs. Rogers, but she's never done it before. She's never had anything to do with the Comprehensive Plan and I think it's imperative that you do it and perhaps you have a small meeting with Planning and Zoning, so you're all on the same page, because I don't think you discussed that with Planning and Zoning. Did you? The Resolution that's a surprise again?

Mayor Jones: No. But it need not be a surprise or a shock or even anything that creates any fear. The only way Council can get together and talk is right here, so that's really all this resolution is, it's a placeholder.

Ginny Weeks: I agree. Okay. Anyway, what else did I want to say about that? We just did things in 2010, like where it said Route 88, we said please add Cave Neck Road. I mean it was just _____, because we weren't permitted to do anything else. Anytime we tried to we were threatened... sometimes we were threatened by the person we had with a FOIA, so it was a very tense and very limited... I think Councilman Kost and Councilman Kanakos... we were given from September to January to do the work. Thank you.

Mayor Jones: I can't speak for the rest of Council, but I still stand behind doing it as a complete plan, a complete overhaul.

Ginny Weeks: I'm delighted to hear that. Thank you.

- Don Shandler, 202 Grist Mill Drive: As an academic you have to permit me, I can't go anywhere without handouts, so that was my one for the night. I'm very encouraged about a lot of good things happening in Milton and particularly encouraging was the fact that the excellent Meet and Greet of all three Council candidates spoke with enthusiasm about the role and importance of a Town Manager and that's not something we need today or tomorrow, but I think for Milton to move ahead, it would be a serious mistake to not keep that in front of all of us. As an example, I just did a little surfing and came up with a document from the Municipal Management Association from Massachusetts and one of the things is, we don't have to reinvent the wheel. There's so much good stuff out there and these vary from state to state, but I just thought to plant some seeds in your thinking, particularly as the issue of the Town Manager is going to come up with a couple of different meetings, I would like you to consider this. First of all, when we talk about a Town Manager we talk about somebody who's professionally trained and educated, has a Public Administration background, has a Human Resource background and has had management experience managing people of all ages and backgrounds, very significant. I chose to choose a couple of points here from this list. Under General Scope the Town Manager provides professional administration management, supervision of municipal departments. Now, I took the liberty of highlighting some of my favorites, for

instance, under Supervision, assumes responsibilities for decisions. I'm continually amazed in the seven years that Judy and I have lived here, there's a constant blame game. I didn't do it. It wasn't my fault. The Town Manager is the person who should be the individual that takes complete responsibility for a number of different issues. The individual is the Chief Executive Officer of the Municipality, prepares the annual budget and I think would have a very important voice in it and works, obviously, with the different committee's, but I personally, as a taxpayer was very disturbed to see that a purchase of \$150,000 was made for a house, within the same year we're getting an increase in taxes. There's a disconnect there. Something is really missing and I think a manager, a Town Manager is a good second voice. I think the Town Manager has an understanding of performance management. Writing a good position description is important. An annual performance review that's tied in with salary, is one of the least effective ways to manage the performance of worker's. A Human Resource person, somebody who's familiar with the Society for Human Resource Management understands there has to be a lot of coaching. There has to be a lot of mentoring. You need an individual that would have the credibility with the entire workforce to take on that role and manage performance; so the performance management systems. Oversight of personnel functions. Another one I think is terribly important, applies for and administers Federal, State and Grant funding. That's a key part of it. Mayors and Councils, as good as they may be, come and go, but a Town Manager if properly selected and supported, that person is the constant that keeps the town moving forward and I think, just recently, as an example of a tremendous missed grant opportunity, that unfortunately got too much newspaper coverage. The other part of it is the Town Manager is also a critical public relations person for the town. It should be a person that could speak with local, regional, state colleagues and help reinforce the role Milton has within the community. In closing, and this is for the Council to consider, as you have further discussions, but my feeling is we have some really good things happening. Fred Munzer with the Premier Center for the Arts in the Milton Theater, he goes off the charts. What he has done has been extraordinary. We have Allison Schell of the Historical Society, another outstanding person in Milton and certainly Lisa Sumstine, with the Chamber of Commerce. These are three important people managing and leading the town. We need a Town Manager. I think that's critically important. My last comment is, how many people in this audience, from just a quick survey feel.

Mayor Jones: Mr. Shandler, you'll address the Council, please.

Don Shandler: Yes. I would like to ask those of you here to certainly considering attending next Monday's meeting at which the Charter's going to be examined and the one question I would have for the Council is that an open session where there's going to be public participation?

Mayor Jones: Are you talking about the Workshop next week?

Don Shandler: Oh yes.

Mayor Jones: Oh yes.

Don Shandler: Yes and I think that's something really important because there are some things on the books that I personally don't support. I think it would be a major setback for the town in whether it's next month or in six months, you have to reenergize the importance of finding a professionally trained, experienced Town Manager. Thank you.

Mayor Jones: Thank you.

Councilman Coté: Excuse me one moment. At this point, I just wanted to address one of Mr. Shandler's remarks and maybe a clarification. My voice is not in very good shape today. I'm sorry. It was the purchase of 112 Federal Street. That did not come out of operating funds. That came out of transfer tax savings, so it has nothing to do... it did not affect the budget one way or the other.

Don Shandler: I personally still don't think that should have been purchased.

Councilman Coté: You're welcome to that opinion and I'm just trying to clarify that; not whether it should of or whether it shouldn't have, but where the money came from and it had nothing to do with the taxpayer's. Nothing.

- Richard Miller, Grist Mill Drive: Our last Council, perhaps to examine and hopefully influence the driving conditions on Chestnut Street; typical with this type of snowy season, it becomes more apparent that if you have two vehicles parked on either side of that road, you cannot get through and if you add ice into the mix, you're going to start bouncing off one car or the other. So it is a tightly congested street and I'd ask that either the Council or the State reexamine the parking allowances on that street. I think it's too tight for parking. Thank you.

Councilman West: I address that Mr. Miller. A few years ago, we designated one side of Chestnut Street as parking only and that's on the same side as Cannery Village. The center section of Chestnut Street and Federal Street, there's no parking. If somebody's parking there, then it's illegal, because that was addressed eight years ago, I think.

Mayor Jones: I'd also be willing to bet by the number of pens that went down on the pads, the folks from Streets and Sidewalks have picked up on that, so thank you.

- Jim Welu, 30263 East Mill Run, Milton: With regard to the Comprehensive Plan, I presume we're not looking to wait until 2020 to finish this. I presume we're going to go forward with what we started already and try to finish it up sometime in the year 2015. I would think that the town, powers to be, should certainly consult with Mr. Goodinson and the Planning and Zoning Commission as to what help they need to finish this. What kind of things should go out looking for help? I think the people that have worked on this for the last eight months ought to be consulted and I did hear a comment at the Candidate's Forum that one of our Council Members did not know what was in the Comprehensive Plan. Well the Comprehensive Plan hasn't been finished yet, but all of you are taxpayer's, all of you are citizen's of the town. You've had an opportunity and very few of you have taken that to attend the meetings for the last eight or nine month that Planning and Zoning have had. If you had attended them, you'd have a pretty good idea what's in the Comprehensive Plan. Secondly, on the town website is a summary of the over 400 surveys that were answered, that will give you a pretty good idea of what people in this town think. I want to address, very quickly, a topic that may seem like a dead horse, but Councilman Kost had a very good point the other day about the value of landlord/tenant legislation, protecting the tenant's and he used the example of how the police protect the citizen's. Now I'd like to expand on that, that the police protect the citizen's by arresting people that are violating the law; responding to complaints that there's too much noise in your yard, or your neighborhood; domestic disputes; whenever there's a claim that there's a problem, the police are there to respond. I think the same thing with protecting the tenant's. The tenant's, under my proposal, I think it's 167-7 for

inspections, would allow any tenant who has a problem to contact the town and the town could respond. I don't think we have to have the police inspecting everybody's neighborhood and everybody's backyard, day by day and I don't think we need to be inspecting all of the apartments annually, every year, over and over and over again. I think if we instituted a good tenant's rights, all it takes is one paragraph and that that would have to be included with every lease, I think that would resolve the problem. If there are tenant's that don't know what their rights are, if they're given a one page "thing" and they know that they can call the town, rather than having to go to the District Court, it would solve issues.

Mayor Jones: Thank you Mr. Welu.

Jim Welu: How come every body else gets to speak longer than I do?

Mayor Jones: I don't think that that's absolutely accurate.

Jim Welu: I think it's pretty regular. I think it's pretty regular.

Mayor Jones: You need to wrap it up. Three minutes.

Jim Welu: Okay, I will wrap this up. I saw a thing about a proposal for redoing the sidewalks at the parking lot and by Bodie's on the other side of the street. I saw one proposal. Have we had multiple bids for that? It's over \$5,000. I presume we're going to need multiple bids.

Mayor Jones: It hasn't gone out for bid yet.

Jim Welu: Okay, thank you.

- Steve Crawford, 216 Ridge: I notice on the agenda tonight is the USDA signage grant for the funding of the Governor's Walk arch sign and I'd like to request that the town start to plan on how to make that alleyway more tourist friendly, because those of you who've walked through that alleyway in the summertime, you need to hold your nose because there are garbage cans in there and my request is not to put a burden on the current building owner's, I suspect that if they had their choice, it wouldn't be there and so I am requesting, since we're going to be spending thousands of dollars for a sign to get people to walk down there, I think we need to figure out a way of how to make that alleyway a little bit more tourist friendly and citizen friendly, for that matter. Yes.

Mayor Jones: Hold still and I'll tell you. Mr. Wingo and I have had a conversation looking up the original plans for also the purpose of Economic Development having the archway sign that had been approved and the rocks, also create a problem in the alleyway, because you cannot clean, so that's the second point that we want to address with what's left of the dwindling Governor's Walk money. The conversation's already started between Mr. Howard and the Town, as far as enclosing some of the two story uprights and he said he will do all he can to keep those tenant's cans within those parameters of that close-in. But even he is aware that may not help the smell. It will help something. It will certainly help visually, but I wanted to let you know that that is something that is already on the burner and being considered and of course, so much of it has to do with when Mr. Howard's building is completed. But thank you very much for those suggestions.

Steve Crawford: Alright, thank you very much.

6. Additions or Corrections to the Agenda

Mayor Jones: I would like to ask for a motion to turn 15.a (New Business), Appointment of a

Vice Mayor into the Appointments of our Election Officials. You will find that in your package added by Mrs. Rogers, as well as asking that Council consider moving 15.f, the Resolution for the review and update of the Comprehensive Plan, up underneath 15.a. The ladies that are here tonight representing the State need to go north and we're expecting bad weather.

7. Agenda Approval

Councilman West: Madame Mayor, I made a motion that we change 15.a to the Appointment of the Election Officers and item 15.f moved to right underneath that, just to make it b. and then we'll go back in order.

Councilman Garde: Second.

Mayor Jones: All in favor say aye. Opposed. Motion carried. Good for the approval?

Seth Thompson: That was for the changes. Now you need approval of the agenda.

Mayor Jones: Okay, so can we approve the agenda, as amended.

Councilman West: I make a motion that we approve the agenda, as amended.

Councilwoman Parker-Selby: Second.

Mayor Jones: All in favor say aye. Opposed. Motion carried.

8. Presentation by PKS & Co – 2014 Financial Audit

Leslie Michalik, Manager with PKS & Co. and with me is Michael Kleger, who's one of the Partners at PKS. We performed an audit of the town's Financial Statements for the year ended September 30, 2014 and we previously have discussed the audit detail with the Town Administrator and the Treasurer of the Council, so my purpose here tonight, is really just to make a formal presentation and to touch on some of the highlights of the Audit Report. Our Audit Opinion, if you have copies of the Audit Report, which you may have, appears on pages 1 and 2 of the Financial Statements and in that report it states that the Financial Statements are the representation of the management of the town. That it is our responsibility as independent auditor's to express an opinion on those Financial Statements, based upon our audit procedures. Our opinion states that the Financial Statements of the Town of Milton, Delaware present fairly in all material respects the financial position of the Town as of September 30, 2014 and for the year that ended, in conformity with Generally Accepted Accounting Principles. Now this is referred to as a "clean" opinion or an unmodified opinion and is the highest level of assurance that we can give on the Financial Statements. I believe in your packets, you have a couple of pages that are headed Financial Highlights, that have some charts on there, so I'm going to talk about some of the numbers from the year. For the year ended September 30, 2014, the General Fund had an increase in it's fund balance of \$289,588; this is compared to a decrease of \$26,000 in the prior year and represents about a 13% increase. At the end of the year, the General Fund balance was \$1,262,910. Of this amount, about \$330,000 is restricted from transfer taxes and Municipal Street Aid, which leaves \$933,000 of undesignated, unassigned funds. This represents about 6-3/4 months of Operating Expenses and is a pretty healthy fund balance. If you have the graphs, if you look at the graph on page two, this shows your fund balance for the past four years and you can see that the fund balance has been steadily increasing from a balance just under \$800,000 at the end of 2011, up to \$1.2 million at the end of 2014. For the General Fund the total Revenues for the year were \$1,966,000. Your largest source of Revenues is real estate taxes, which makes up 44% of your total Revenues. Transfer taxes, which made up 20% of your total Revenues; inter-governmental revenue, or grants, makes up 12% of your total

Revenues, with license and permits making up 13% of your total Revenues. If we compare your Revenues this year to last year, Revenues actually increased \$255,000 or 15% and that was due to increases in transfer taxes, Impact Fees, building and sewer permits. As far as General Fund expenditures, total Expenditures were \$1,677,000. Your largest area of Expenditures is public safety, which makes up about 43% of your General Fund Expenditures. Other significant areas of Expenditures are general government or administration at 20%, Public Works 11% and Code Enforcement at 11%. Again, if we compare your Expenditures for this year to last year, your Expenditures actually decreased 3%, or about \$50,000 from the prior year. The largest decrease was actually in the Police Department, due to decreases in salaries and benefits. Your Utility Fund, which has the activity in the Water Department and the Trash Department is on the final page of your handouts. You had an increase in the Utility Fund of \$117,000, almost \$118,000. At the end of the year, the net position in the Utility Fund was \$2,288,000. Of this amount \$1,084,000 was invested in property plant and equipment net of any debt. \$396,000 was restricted from your collection of Impact Fees, which are restricted for capital expenditures, which left you an unrestricted, or available net position of \$807,000 in your Utility Fund at the end of the year. That's a lot of numbers and percentages to throw out in a short period of time, but in conclusion the Town of Milton is in a strong financial position at the end of 2014.

Mayor Jones: Thank you very much. Thank you Mrs. Rogers and Councilman Coté. Did anybody have anything to add or ask on Council? Anybody?

9. Presentation and Approval of Minutes

Mayor Jones: We had no Presentation and Approval of Minutes.

10. Mayor's Report and Scheduling of "Town Hall Style Meeting"

Mayor Jones: What I'd like to do first with Council is take out your appointment books, or calendars on your phone if you will. We're really overdue for one of the quarterly public forum meetings, that we traditionally hold on a Saturday. I'd like to know, with your schedules, if Saturday, the 28th of March and that could also be the 21st for an Open Forum meeting. These are just town hall meetings, where no voting is taking place. We just discuss issues between Council and the public.

Councilwoman Parker-Selby: The 28th looks better for me, but I don't want to hold up anything. I'm a great-grandmother for the second time on the 21st.

Councilman West: I'll be out of town on the 28th.

Councilman Garde: I'll be out of town on the 21st.

Councilwoman Parker-Selby: Yeah, that's a problem for me.

Mayor Jones: Anybody else as far as a quorum that could commit to the 28th?

Councilman Coté: I'm okay on the 28th.

Councilwoman Patterson: I'm here.

Mayor Jones: Sam's here? Can we check the availability of the Library right here would be fine and it opens at 10:30 and we didn't want folks... Okay, then let's put that on our calendars pending a confirmation of a place to be here at the library. Thank you. Tonight I did present these in front of Captain Cornwell. I just received this. I wanted to share this openly with the public. This was written by Chief of Police Norman Barlow of Harrington and it's addressed to "Captain Cornwell, Mayor Jones, Town Council. I and Corporal Richard Baker would like to extend our sincerest thanks to Patrolman Brandon Heartlove. Patrolman Heartlove went above

and beyond to help out Corporal Baker in a time of need. On February 13, 2015, Corporal Baker was responding to a vehicle pursuit heading towards Lincoln. He requested assistance, however, no State Troopers were around and KentCom did not put out an assistance call. Patrolman Heartlove was listening from his home, when he heard what was going on and decided to gather his things and come to Corporal Baker's side. That is a sign of a true leader and we wanted to make sure he received acknowledgment." So, Captain, I have actually given Mrs. Rogers the original for Mr. Heartlove's file, but I hope that with the copies that I gave you that you will extend our thanks to him. Really appreciate this. Thank you. Some of the other information is contained in some of the reports that we'll be hearing from the Administration, so I'm not going to say too much more on that.

11. Discussion of Written Committee Reports

Mayor Jones: We have several reports in front of us. We can start with the Economic Development Committee report in front of you.

Councilman Garde: I just have one process question. On item three it says the document is going to be sent to the Project Coordinator for review and comments. Is this a document that will ultimately come to Council, or will it be approved at the Project Coordinator and Town Administrator level? Perhaps that ought to go to the...

John Collier: I'm in possession of the document and I have not had time to sit down with the Town Administrator to discuss the document as to what the next step would be. It's a proposal from the Economic Development Committee and at this point we haven't had the opportunity to decide what the next step is.

Councilman Garde: Okay, thank you.

Mayor Jones: Mr. Crawford, question. Isn't one of the members of your committee attending the Main Street Conference in Atlanta this year?

Steve Crawford: I heard that's correct.

Mayor Jones: I see her back there now. Okay, thank you. Anything else on the Economic Development Committee paperwork? Mr. Wingo, you included here a set of minutes under the Water Committee reports. Now my interest in this was a charge under New Business of making a recommendation to Mayor and Council that all information generated in the past by the Land Acquisition Committee be made available to the Water Committee. Is that something that you've asked or researched yourself, the paperwork; because that recommendation from a second group never reached Council, so you may have the original where the well was punched on State land, but I don't know what else can be supplied to you, but...

Greg Wingo: I think and we had brought up under New Business the recommendation; the way that's worded is we would like to go back to the members of the Water Committee at that time, that were looking for land and gather any material at that time that they had gathered that could help us in the future, once we start looking for land, if the Council gives the Water Committee the okay to go forward with that. Did I answer your question?

Mayor Jones: Yes, but you're not asking Council to put into motion a record search for you. Your request of Council is that you may go back to other members of Water Committee's before you and remember that Councilman West was Chair, so he may have some information for you too; but that's not how I read your request here, but now I understand it better.

Councilman Garde: It was also the Land Acquisition Committee, not just the Water Committee. Was information gathered by a Land Acquisition Committee and excuse me for butting in, but

the Water Committee is essentially asking to replace the old Land Acquisition Committee, so that we can move the situation forward with respect to making a future recommendation to Council regarding Land Acquisition for a future well and/or possibly enough land that it would incorporate a tower at a later date. We felt that the situation needs to be moved forward and we don't want to lose all of the valuable information that had been gathered in the past and so my understanding of the recommendation was to allow us to be appointed to go back through that and then ultimately to bring forward a recommendation with respect to land or a new well.

Mayor Jones: I'm going to turn to Mr. Thompson, because I believe you may be asking to have an appointed Land Acquisition Committee. Is that correct?

Seth Thompson: Maybe I'm misunderstanding Councilman Garde. It sounds like the Water Committee is seeking to be charged with the responsibility of finding land for a water related purpose.

Councilman Garde: Correct.

Seth Thompson: And so in asking for that charge, you're seemingly then making it okay for the prior members of the Land Acquisition Committee to relay information that might otherwise might be deemed confidential on some level? I take it that's part of the purpose for the official charge?

Councilman Garde: Precisely. You articulated it substantially better than I did. But, thank you, you read between the lines and were able to come up with the gist of the suggestion for Council.

Seth Thompson: I think we certainly can continue to discuss it in this context, but I think in terms of voting, it makes sense that when we get to that I'd want an agenda item.

Mayor Jones: Okay. Anything else for the Water Committee, questions?

12. Department Reports: Administrative, Code Enforcement, Project Coordinator, Police, and Public Works

Mayor Jones: We have an Administrative Report.

Councilman Garde: I just have one for Mrs. Rogers. We said the fiscal year 2014 Proprietary Funds were allocated for a water system mapping project and not spent. So that, as I understand our situation, the 2014 allocation goes away and this is a process question, which is how are we going to fund the system mapping project in fiscal year 2015?

Kristy Rogers: The project was budgeted again in fiscal year 2015.

Councilman Garde: Thank you.

Mayor Jones: I expect this will produce a great deal of information about what's in the ground. Is that correct? Anything else for the Administrative Report. We have a Code Enforcer's Report and the Project Coordinator's Report. Stop me if there are any questions and we have a Police Report.

Councilman Garde: I have just a question. I was unaware that we had a shot's fired incident, perhaps I'm the only one here. What was the shot's fired incident in December?

Captain Cornwell: We had shots fired and it happened to be west of town, hunter's. There were no shot's fired in town. They heard what was shot's and because of the type of season that's going on, it was just the wind carrying people, I think, goosehunting.

Councilman Garde: Thank you. That's a good explanation and I understand why it's in the report.

Mayor Jones: Captain I have just a question for you. Public Assist here is different than check

the welfare. Are these folks who need specific escort to work? I see that's up under escort, but I didn't know whether or not that had anything to do with that?

Captain Cornwell: Escort's, that's generally when we're doing an escort like at Bodie's or we're doing an escort at the Milton Kwik-Stop. Year's ago the Miltonian had an attempted robbery behind it when they were closing, so every now and then they contact us to do an escort at the Miltonian, when they feel like something is just not right. Public Assist, that's a wide variety of things. One of the Public Assists that we do is for Casa San Francisco. Anybody that goes to Casa San Francisco is referred to us; we refer them back and that's basically to make sure that they're not wanted one and the second thing is that they're non-violation of the 3,000 foot sex offender statute that the town has. So that's where a Public Assist also comes from and then we do Public Assists if we go out and stand by for somebody getting their belongings from somewhere, or if we help people, just in general, where there's no type of crime or other incident that's related to it.

Mayor Jones: Okay, thank you. Are there any other questions on the Police Report, this evening?

13. Finance Report and Revenue/Expenditure Report

Councilman Coté: Bear with me please, my voice is not in great shape. What we have in front of us tonight is January and we have \$48,000 more in expenditures than revenues, but as we all sit here, we all know that we got our tax bills in February, so we're no longer behind. All the tax bills are recorded as income when they're sent. Then we collect them over time, but mostly in the first few months. The Utility Fund had a positive total of \$230,000 and net, between the Utility Fund and the General Fund there's plus \$182,000. We have the transfer tax account has a balance as of January of \$447,000 and I believe our budget for the year is \$150,000, so we have essentially \$300,000 in savings as of the end of January. The money market savings account has \$345,000 plus in it and we have some CD's that amount to about \$285,000. The Auditor's are gone, but their last comment was that Milton is in a strong financial position. Hopefully there's not too many detailed questions.

Mayor Jones: Are there any questions? Hearing none, we will move on.

14. Old Business – Discussion and possible vote on the following items:

- a. Cannery Village punch list, development standards and subdivision and site plan approvals

Seth Thompson: Kristy forwarded to me the scope of services and task order that was prepared by Pennoni. Just to back up a little bit, prior to that I had received an email, or I suspect the town had received it and then forwarded it to me; but Chestnut Properties to had some vague request with regard to the lanes and alleys in Cannery Village and I think Pennoni's scope of services probably doesn't match exactly what that request is, so one of the things we need to have clarified on this... As I read this, Pennoni is looking to create a punch list for the alleys and lanes; they refer to them as alleyways. I think that's just something we can clarify very quickly, but it really should say alleys and lanes, but my impression from the request was that Pennoni would then engage in the process of preparing for a potential revision of the sub-division plat in having those lanes and alleys dedicated to the town. That's not included in this. It could be that Carlton plans on doing that in a separate task order, but it's not in this, so I just wanted

to make that abundantly clear to everybody. Really what this is, is Pennoni would go out and say whether or not the lanes and alleys have been built as they should have been and if they haven't, what needs to be done to do that. That is separate from the process of requesting that the town revise the sub-division plat and change that notation that the lanes and alleys are private rights-of-way. So, just to make that one clear and I think Carlton could have intended to just do a different scope of services. All this has to happen anyway. They need to do the punch list regardless of whether those roads are going to remain private or whether they're going to be dedicated to the town. They need to be done; but that's an important note here, that it's not complete in the sense that the final product of this is going to be a decision on whether or not those lanes and alleys become dedicated to the town. The other element of this, I think it needs to be clear in terms of what ultimately comes out of this punch list. If the plan is for them to ask the Town to revise the sub-division plat to accept those and then to go ahead and do that. That would be a possibility, I suppose, but that's not going to be the entire... The lanes and alleys are only one portion obviously of the streets within the sub-division, so given the fact that there isn't a bond there, it makes more sense to me that the entire project should be done before the Town accepts it and that really is what your Code contemplates. I think you can infer that it's possible for the Town to accept roads piecemeal. I think that's a little bit awkward, given the fact that there isn't the impetus for them to continue doing additional work without a bond being in place. So those are the issues that I think we need to get cleared up in terms of what exactly is going on as far as what Chestnut Properties is asking to do. Again, this has to happen, so somebody has to go out and create a punch list on these lanes and alleys; but I don't want anybody to misunderstand what that ultimately then means, what the domino affect of that is. I don't want Chestnut Properties to think that that means that the town's going to accept those roads and going to automatically just do that right away; change the sub-division plat, do that and accept those without them having finished the other roads. I don't want anybody to be misinformed. I don't want the public to be misinformed about that either.

Mayor Jones: I have a question for you in the name of expediency. The schedule here states that Pennoni will start the work with an anticipated completion date of six weeks after initial notice to proceed. Now you've already told me that this needs to be tweaked and updated and corrected, so I have two questions, I guess. At the same time that Pennoni is actually doing this punch list work is it then too early to actually ask the developer's to come before Planning and Zoning and ask for the adopting of these, before this punch list is created; because that could create cost to someone. Isn't that correct?

Seth Thompson: Right. Those things can happen simultaneously. One doesn't have to happen before the other. Now from the developer's viewpoint, maybe their not going to bother doing this, unless the town's going to take over those roads. I don't know. That's their decision to make.

Mayor Jones: Well, this would already be engaged as far as work started by the time they would come to Planning and Zoning, right?

Seth Thompson: Right. But again, they have to do this at some point anyway; they have to fix those roads, whether the Town's receiving those roads or whether the Town is going to accept dedication of the roads that aren't alleys and lanes; seemingly all the

improvements in the sub-division need to be completed.

Mayor Jones: It just concerns me, six more weeks. It's getting warm(er); that's a month and a half and then, if we had blacktop and the repairs to be made, we're coming into spring which would be ideal.

Councilman Garde: I also have a question on this. Assuming that the current situation remains constant, the town will not have the alleys and lanes dedicated. That's the current legal position. So why would the Town make the punch list and not whoever it is who's going to be responsible in the future for maintenance of the lanes and alleys; why would they not be the ones making the punch list? Why is it taxpayer money making a punch list for roads we do not intend to have dedicated to us, unless we do and I know I haven't voted for that yet.

Seth Thompson: Well, to be clear. The cost to the Town for creating the punch list is then paid by the developer; so our relationship is with Pennoni, Pennoni is working for the Town, but ultimately those costs need to be reimbursed by the developer.

Councilman Garde: Okay, well that answer's that question; so ultimately it's not taxpayer money?

Seth Thompson: Correct.

Councilman Garde: Okay. I withdraw an objection.

Mayor Jones: And they actually agreed to that. They came right out in the beginning to talk about how they would pay for that.

Seth Thompson: Again, my theme for this is that this is not the agreement that the developer had promised, this is really kind of Step One in a process that involves many other facets.

Councilman Garde: In order to actually even vote on this, the first bullet in the scope of services and scope of services summary, we have to delete the words "as described to be dedicated to the Town of Milton". That would have to be deleted in my viewpoint and it could say Field Review of Alleyways for Construction Deficiencies and that would be what it is.

Seth Thompson: I completely agree and I flagged... if you look about two paragraphs above. I can't tell when he refers to the comprehensive punch list, it's Pennoni saying yes, this is just one item in a large scope of punch list items that will need to be completed. I just think the language needs to be clearer, because the last thing we need is more confusion in terms of what's supposed to happen with that sub-division.

Mayor Jones: So before we finish up here, what's the next action we can look for?

Seth Thompson: Kristy, did you forward my comments to Carlton? I think you'll see a Revised one of these.

Mayor Jones: Councilman Kost, any questions on this?

Councilman Kost: I'm just following... When I look at Cannery Village streets, I'm looking at two separate entities, the _____ and the boulevards are already part of the approved sub-division plan; the alleys/lanes are not and the lanes, the way I'm thinking of this is this scope of work is to determine that the work necessary to complete construction of the lanes, as previously part of the sub-division plan.

Seth Thompson: I guess I'll back up and say that the lanes are part of the approved sub-division plan, they just don't get dedicated to the Town.

Councilman Kost: What I'm saying is this scope of work though, is identifying all the

work necessary to complete that.

Seth Thompson: To complete those lanes and alleys.

Councilman Kost: As part of the previously approved sub-division plan; but they're not supposed to be dedicated. The concern I have then, is at a certain point in here, once this work is done, the developer is going to ask to have them dedicated at that time and at that time, where the work has been completed; then Council will address that issue, to dedicate or not to dedicate. Then the plans necessary for the actual dedication, the line drawings, that will be done at that time, but not part of this initial scope of work.

Seth Thompson: Right.

Councilman Kost: Okay.

Mayor Jones: Are you all on board? Okay.

b. Abatement of nuisances and/or condemnation of 307 Atlantic Street

Mayor Jones: Mr. Collier, you prepared this document?

John Collier: Yes, Mayor. Mayor and Council, 307 Atlantic Street has been before you before and as directed at the last time it was presented, the owner of record was notified of the revocation of their demolition permit, because of lack of a State required inspection and given a notice to board the property. The notice was duly and properly served. The time period has expired and no action has occurred on the part of the property owner. The request this evening is for the Council to initiate a further action, whether it be boarding the property in accordance with 136-29(c), which requires the closing of an unfit structure or whether we take it out for bid for demolition; that's at the pleasure of the Council. I will say that in conversations with Public Works Director, he has offered that Public Works is capable, if the Town supplies the material for boarding the thing and then the property would be liened for the amount of materials, time, overhead, administrative costs and would be boarded up. Or we can advertise, take it to bid and have it demolished and lien the property. There is an opened lien of some sort on this. Mr. Thompson has investigated this and we have no idea of the status of that opened lien.

Seth Thompson: Right, it's some kind of a line of credit. I think it was for \$50,000.

John Collier: \$25,000 was the note you sent.

Seth Thompson: Oh, \$25,000. Okay, so as a line of credit, it could be that there's very little money owed on it or it could be that it's \$25,000, plus late fees and penalties and interest and all of that. So it's difficult to know and that's obviously a different situation than the other property that didn't have a lien. You don't know if you're going to recover if you spend a lot of money demolishing the structure.

Councilwoman Patterson: Gotcha. I hate to have to see it all boarded up right there as we come into town.

Mayor Jones: Boarding it up is not going to fix the eyesore it is. Is this one of the properties, just refresh my memory please, that was not given the inspection and we don't know whether or not there is asbestos on that property?

John Collier: There's evidence of asbestos at least on the exterior of the property. I have no idea what's on the interior and it would take an inspection to determine that. An inspection is somewhere in the neighborhood of \$250 to \$400 for the inspection and then the abatement costs can go up from there, depending upon what's there and what

has to be abated.

Councilman Garde: In terms of the process, would we need to hire the inspector and foot that bill first, then lien for at least that before we did anything?

John Collier: I believe that based on our recent experiences that would be the best measure, because it makes it difficult for us to examine any bids we might receive as to the validity of them, without some knowledge of what's being faced in the way of abatement.

Councilman Garde: And if we think any of the asbestos might be friable as is, but we want our Public Works worker's to go out there and board it up, before there was an inspection to determine if there were health hazard to our guys.

John Collier: That's a very likely possibility. Again, I'm not the asbestos expert. I cannot attest to that. It would require at least that much before we have our own staff board it. It's not really required by State law until you seek to demolish.

Councilman Garde: Okay, but in terms of prudence for our own people. One member of this Council thinks it would be prudent to do the inspection before we do anything else and get a clue as to how potentially dangerous the... If it's not friable, it's not a big problem. It's a problem, but it's not a big problem. If there's anything friable out there, I don't want our guys going out there at all.

John Collier: What I can tell you is that the exterior is covered with what I believe is asbestos concrete siding; which as long as you don't break it up, is not a big problem; but the problem with boarding it up is, you have to drive a nail through it sooner or later. So that's the issue that you have. I won't argue your point about the inspection and in the best interest of the health and welfare of our own employee's, should we choose to go that route.

Councilman West: Councilman Garde, some of it looks like these pictures.

Councilman Garde: That's a different house.

John Collier: That's a different house, Sir.

Councilman Garde: That's not Atlantic Street. Atlantic Street is the ugly one we had last week. It's the little blue job down on Atlantic Street.

Councilwoman Parker-Selby: On this particular property I just would like to kind of reiterate the fact, these people/owner's have been notified, but we've heard absolutely nothing.

John Collier: They have signed for the letters and I got a phone call from the folks.

Councilwoman Parker-Selby: I see that.

John Collier: I explained to them the situation. I even offered them the name of a local asbestos inspection place and after the expiration, the 15 days notice that they were given to board the place up. No further action has occurred.

Councilwoman Parker-Selby: From this property?

John Collier: From the last notice of service. So it's now been... We've been fooling with this for a couple of months now and the eyesore has existed for at least two years.

Councilman Kost: It seems to me that boarding it up is a short term solution, but not a permanent solution to anything.

John Collier: I agree with you wholeheartedly.

Councilman Kost: Having an inspection done for a couple of hundred dollars to determine the extent of asbestos removal will give us a handle. At a previous meeting, I

thought demolition costs were going to be about \$16,500.

John Collier: That was a different structure.

Councilman Garde: It was a different structure, but it gives an order of magnitude.

Councilman Kost: That was a much larger building so this should come in under that.

John Collier: That would be my hope, but again without having any knowledge of what asbestos may exist within the structure, that dramatically impacts the cost of demolition.

Councilman Kost: But if we used the \$16,500 as just a ceiling and then asbestos on top of that, the inspection would give us a handle on total cost possibly.

John Collier: I agree. Well, the reason is this is before the Council is I'm looking for some direction as to how to proceed and I've offered you the options that are available to us as a community and I'm leaving it in your capable hands of directing me as to where to go at this point.

Councilman West: Mr. Collier, as I started to say when I got interrupted awhile ago, as long as your nailing wood to wood, there won't be any health hazard with the asbestos shingles. Looking at those pictures that you had from before, so if it's just a matter of that, what do you figure it would cost us to board it up? Because we're going to lien the property anyway?

John Collier: I do not have a firm figure on that cost, because again without direction from Council, there wasn't really much of a point. If the Council wants it boarded up and they want me to come back with a price, I will certainly bring that to them. If they want it demolished, we will put it out to bid. If they want it inspected and then a decision made, I will go that route.

Councilman Kost: Mayor Jones, I make a motion that we authorize the Project Coordinator to have an inspection of the property done to determine the extent of the asbestos in the building.

Councilwoman Patterson: I'll second.

Mayor Jones: Any other discussion on this property? I think that's the best place to start.

Councilman Garde: Just one comment from an aesthetic point-of-view, boarding it up it can't be much uglier than it already is. It's an eyesore on the way into town coming down Atlantic Street from Cave Neck Road and I assume boarding it up would be able to keep the rascals out, whether they're four legged or however many legs they may have, but that's all I'll say, but I'm in favor of the inspection first and then we proceed from there.

Councilman West: That was a nice house, at one time until they neglected it like they did.

Councilwoman Patterson: I think it would be prudent to actually have the inspection. I mean, it's a safety hazard with the asbestos; but it's also a safety hazard because there are open holes from the pictures we saw last month and there used to be a deck or something out the back, so if kids were walking up the road and decided to go investigate, it's just a safety hazard from...

Mayor Jones: We have a motion and a second on the table. Before we make this vote, Mr. Collier, is there anything also in our Ordinances at this time that we can require something like police taping, not meaning police taping, but something that protects the property from others entering into the building, not his property?

John Collier: The only thing that I'm aware of within our Ordinances at this time, would be Sub-Section 136-29(c), which requires a nuisance type structure. This thing, once it's

condemned, we can as a community, require it be boarded up; but there are no other provisions that require anything such as police taping or anything else like that.

Mayor Jones: Okay, that's all I wanted to know. Are we ready to vote? All in favor say aye. Opposed. Motion carried. Thank you very much.

15. New Business – Discussion and possible vote on the following items:

a. Appointments of our Election Officials

Mayor Jones: Mrs. Rogers would you like to speak to this?

Kristy Rogers: Last week during training with the Department of Elections, it was brought to our attention that a Board of Elections Judge can no longer serve being an immediate family member of an elected official. At this time, I would ask Council to reorganize the Board of Elections, replacing Mrs. Garde with Mr. Neil Sands, as a Judge and appointing Mrs. Costanzo as an alternate Judge.

Seth Thompson: Has she submitted her ethics form?

Mayor Jones: So we would need, if that's a motion to approve pending the completion of an ethics form.

Councilman West: Madame Mayor, I make a motion that we go ahead and reorganize the Board of Elections as per Mrs. Rogers suggestion, pending their ethics forms.

Councilwoman Patterson: Second.

Mayor Jones: Any other comments, questions? All those in favor say aye. Opposed. Motion carried.

f. Resolution 2015-006 Review and Update of the 2010 Comprehensive Plan

Mayor Jones: We have with us tonight from the State Planning Office, Connie Holland and Dorothy Morris; we also have the moderators who are working on behalf of the Town of Milton through the Comprehensive Plan with Mr. Goodinson and his Commission, Hal and Jocelyn Godwin. So whatever microphones you choose to come up to, we just want to catch everybody up to speed about the change, new information. I brought some comments that I've received through the week from some of the public and I want to pick up a couple of questions on that too.

Hal Godwin: Madame Mayor, Members of Council. I have volunteered to help you with your Comprehensive Plan Review. Dorothy Morris is our Representative from Sussex County from the State Planning Office and Connie Holland is the Director of the State Planning Office. They're here to help us explain the purpose of this Resolution. To try and give you some history, it's been a little over a year ago that Jocelyn and I offered to volunteer our help to help the Comprehensive Plan Review and Update get completed on time. We met and had lunch with Connie and Dorothy and the Mayor one day in January and talked about the process and how we'd move forward and set up the whole thing. In that conversation, I remember Connie saying you need to determine whether you're going to just review the Plan or completely rewrite the Plan, but you have until May of 2015. I thought we had until May of 2015, so we moved forward; we started having a lot of public hearings and Barry became the Chairman of Planning and Zoning Commission and the Planning and Zoning Commission's had how many meetings Barry, 20? A lot of meetings, but we've gotten a lot of very valuable input from the people who live in Milton and we've had some state experts come help us out with some water

issues and some other issues and we had a little meeting in November and we thought gee we might need an extension on the May, 2015 date, because we really haven't written a lot. We've updated a few things, but there's a lot of pen and pencil that needs to happen and I'm not sure we're going to get it done by May, so perhaps we ought to ask the State Planning Office for an extension. So the Mayor put together a letter requesting an extension of time and we sent the letter up to Connie Holland and they responded back with you don't need an extension.

Connie Holland: The May of 2015 was the deadline to let us know exactly what you planned to do with your Certified Plan. So the letter in November told us that you were planning (well we already knew that), but they officially told us that you were planning to completely update the Plan. According to the Delaware Code your Plan, once it's certified, is good for ten years. However, every five years you must pull that Plan off the shelf, review it, see if there are any changes. You can make an amendment or you can completely update the Plan. So with the idea that you're completely updating the Plan, you have until May of 2020 before it has to be recertified. So as long as it is done and to us and recertified by that time, you do not need an extension. When you choose to do that is completely up to the town and how you choose to do that.

Hal Godwin: When we had lunch, I remember Connie saying, you could just do a review, or you can rewrite it, whichever you want to do; I didn't realize that making a decision there, actually changed the clock, but it did. So the good part is whew, we don't have to have this done by this May. I know Barry and I were kind of worrying about are we going to have enough time to get this all written and there's been a lot of really good work done, so far, that I think will lay a very good foundation. The Town Council has been very cooperative. The townspeople have been responsive. They've come to meetings. They've brought us some great ideas, some great suggestions and the good news that I see, I'm trying to explain through this Resolution that you don't have to adopt the Resolution. The Resolution simply says that one of the reasons why Jocelyn and I volunteered was because I didn't think you had enough money in your budget for 2015 to hire a consultant and just write a check and have it done for you; so we volunteered to help and Barry and the Planning and Zoning Commission have all volunteered, but now with this extra time, the Council probably has enough time to budget, over several budgets, two or three budgets, to have a Certified Planner, like we all discussed back in the spring; put out a contract for a consulting firm to come in and write the Plan and do a professional job of it. We've already got a lot of the work done, so that should help deflate some of the costs and if you wanted to have an AICP person, we have had services from Mr. Osborne, who is a Certified Planner with your engineering firm, Pennoni, he's done a great job of helping Barry and I through the parts we've done so far. Be it he, or some other firm, I just thought that a Resolution such as this, gives you the option, you know like whew, we don't have to have this thing done in a few weeks. Now we can take a breath back, compound what we've done so far with the added services of an AICP Certified Planner and incorporate the whole package and get it done in a year or two or whatever it takes, but we're not racing against the clock now. We can do this Plan in a fashion that everybody's happy with it. My vision, is if we were to have a Plan of writing it, based on the information we've gathered from our public hearings and then the Planning and Zoning Commission and the Town Council

would be acting as reviewers. We would get a section of the Plan written. We all take a look at it, we have a hearing on it and we decide if we want to adopt it or not and move forward. If we do this a few times and the next thing you know, you've got a complete Plan, everybody likes it and it's ready to go off to Dover for recertification. As long as that's done by 2020, we're good. So I think this is good news that we're going to have the time to do this the way we had originally said back in the spring, wouldn't it be nice to have Mr. Osborne sit down and write the thing and we tell him what we think. So that was the purpose behind this Resolution. I wasn't trying to do anything more than to raise an issue, a document, that would give you something to discuss as an option. Does anybody have any questions?

Mayor Jones: I do. I know when this news came down, I got in touch with Barry to share the information from Dorothy Morris and he sent me back a couple of things. I asked him to consider what this meant for us now and which way we wanted to go and I brought your email, if you want to refer to it. It was the very first discussion that we had. This actually came through an email thread and it came from former Mayor Post and it's a good question. I want to ask it. It says, there's no reason to focus on a 2020 Comprehensive Plan now. Instead of doing a complete rewrite, can you imbed the current work into the current Plan?

Dorothy Morris: You can do an amendment to your Plan and amend any parts of the Plan that you would like, it would come up through PLUS as an amendment. An amendment does not change the certification date of your Plan. So if you made an amendment to your Plan you would still have to come back in 2020 and recertify it.

Hal Godwin: We would be amending the 2010 Plan.

Connie Holland: Now be careful with an amendment. You can do an amendment. I'm going to back up a little bit and tell you where the confusion was. When the recession came in every Plan had to be done before that; every Plan had to be looked at every five years and it had to be recertified. Some of the small towns came to their legislator's and said we simply don't have the Planning staff, we can't do that, it's too costly; with the recession we haven't even been able to implement the Comprehensive Plan that we have, so that's when you were given some time. You do, as Dorothy Morris said, very correctly, have to pull that off the shelf, look at it and if you say this is still relevant for us, then just send me that letter and you're okay. Now, if you have some just tweaking that you want to do on population or maybe just one area that you want to do, that's an amendment. But when you see that you're going through almost every chapter and changing something, Ladies and Gentlemen that's a full blow Comprehensive Plan. I would urge you with as much work as Milton's done and as much time and dedication that you all have, do not stop now. Don't look at 2020, because you should get it done and certified as soon as you can and your date will change, it will elongate out from there, so I want to make that perfectly, perfectly clear tonight. You've got a good start. I hate to see somebody do as much work as you all have done and put as much blood, sweat and tears in it, I know you have a lot of developer's in the community that want to do some things and the Comprehensive Plan doesn't match that. You need to decide what you want to do in this community. Another thing I want to say here tonight. It's been said that we aren't here for every meeting, the State Planning Office. I have actually six people in my office. I have seven, but six... and only three planner's and

myself. We don't come to every Comprehensive Plan meeting. We will come when you ask and sometimes we can't, believe it or not, being sixty local jurisdictions. We usually come at the first part of your Comprehensive Plan, which we did and try to tell you what the rules and regulations are and what Delaware Code says. I've been on the other side. I didn't want the State telling me exactly what to do either, so we go away and let you have your private meetings and make sure that Milton grows the way you all want it to grow and we come in the middle and answer some questions, like maybe we're doing tonight and maybe if you wanted at the end of it, for us to look at it and make sure you've made all the marks of it, but it is your Plan. I want that to be perfectly clear. There are two new things we're looking at that you can get a lot of help with DNREC that just came. It's EO41, that's Executive Order from this Governor; sea level rise and climate change is huge; and health and social services are talking about complete communities and that's much easier for a town to do, than a County to do. That's making sure that you have the infrastructure, not just road, sewer and water, but the hospitals and dentists, schools, the walkability of your community, that it can make it livable; we don't use Livable Delaware anymore, but we're calling it Healthy Communities. So there's other components you should look at in your Comprehensive Plan, so you've got such a great start. I just say don't stop. You don't need an extension. The State's not going to come in and make you get an extension.

Hal Godwin: Connie, one more thing. If we were to finally get it all done and the Council endorsed it and we sent it up to you and you folks signed off on it, would that become say the 2017 Plan?

Connie Holland: Yes.

Dorothy Morris: Certainly.

Hal Godwin: And then we would be due again in 2027.

Dorothy Morris: You look at it in five years after that, and then be updated in ten.

Connie Holland: When the Governor certifies it, he certifies it as of the date of your adoption, so if it takes him three months to certify it, it goes back to the date of your adoption and that's when the clock starts.

Mayor Jones: And this new information in no way was giving a message that we needed to abandon anything until 2020?

Connie Holland: Yes.

Dorothy Morris: Most local jurisdictions are not waiting. They may take a pass on some of the really, really small ones that have only like 100 people, like Leipzig or Little Creek or Odessa or some of the smaller ones that are saying we haven't even been able to implement, because remember, your Comprehensive Plan's are not regulations, it's a vision of what you want to do to put in place regulations, so now it's a legal document, so how you're going to implement, we will ask in 18 months if you in fact got your zoning ordinance together and you try to get that vision started. So that's a huge thing, so I guess what I'm definitely saying is none of my local jurisdictions are sitting back and saying we don't want to do some changes. They're tweaking their maps. Even Leipzig and Little Creek, they're not waiting ten years for some changes in there with sea level rise and what they want in their communities and what they want to protect. They're a little different. They want to keep the Route 9 area protected and they don't want a big huge hotel there and they want to keep their lifestyle, so they want to make

sure that that Comprehensive Plan reflects that.

Dorothy Morris: But as Connie said, you don't want to put that much effort into a five year plan and only do an amendment. If you're tweaking the numbers or if you're changing a few things, that's a great amendment, but as much effort as you've put into this, it wouldn't make sense to just throw a small amendment our way and then still have to do this again for 2020.

Connie Holland: You've got so much momentum and there's a lot of things going on and we commend you for that. We're giving you breathing room and you don't need a letter from Connie Holland to say you have an extension...

Hal Godwin: Good news.

Connie Holland: And any confusion, we apologize for.

Mayor Jones: Barry Goodinson is going to come to the microphone.

Barry Goodinson: We wanted some wiggle room, but we didn't want to wiggle all of the way to 2020. We had made the decision that we wanted to do a complete re-do and I think it sounds like we are going to stick with that, because we've done a lot of work. I think, totally, we probably have about 70 pages of the new Comprehensive Plan written; so it may need to be tweaked and someone with an official planning background, obviously, needs to go through it and make sure that it's kosher, but frankly I want to see us finish this thing, as quickly as possible. As you know, we've not rushed through this process. We've taken our sweet time and I don't want people to think that we're rushing to get it done, but I don't want to extension to go on for too much longer; for a couple of reasons. First of all, Planning and Zoning just doesn't have the band width to continue the schedule that we've been keeping up and we want to be done with this thing, but also, this is your project and you want to see it done and you want to see what it looks like when it's done and I know there are developer's out there who want to know what we've got going on and we want to start implementing a lot of the great ideas in it. So I'm not opposed to an extension and I'm not certainly not opposed to having some additional hands on deck to help us get this thing completed. I just don't want too much time and I don't want to take all of the work. We've got nearly 500 survey results, we've got lots written already, we've done a lot of work and I just think it would be foolish and disrespectful to trash that, so I just want to make sure that whatever we do, leaves all that good work intact and makes use of it. I said all along, I'm not a Planner, so I don't know what I don't know and having someone who comes in who can tell me what I don't know, is always a handy thing.

Mayor Jones: Well for me, it sounds as if the Council has the opportunity for at least possibly, a second budget funding for this Comprehensive Plan if you are not driving it before September 30th. My point is you were given the funding this year. If you don't have the mark on your back for May, or even a little extended period, we may be able to yet give you more funding for those reviews in 2016 and that's one of the reasons why we're all here talking about the new direction and I think we're going to need to set actually a new goal if we can.

Hal Godwin: You remember, Barry, we had set out a schedule back in March or so, last year; we were hoping to have a draft in front of Council by December and not that we were slouching or watching television, we just needed to get it all together. There's a lot to it.

Barry Goodinson: Yeah, we had to redo two meetings. We've redone the Transportation meeting. This Thursday we're going to redo the Growth Area meeting, because those meetings that we had, just didn't have the results that we needed to give us the information that we need for the Comprehensive Plan, so we had to do a couple of do-overs.

Mayor Jones: But I'm going to look to you to kind of reset a new goal with your Commission and the work that you're doing and when it is that you need...

Connie Holland: The body of work that is there, is excellent.

Barry Goodinson: Like I said, we've got about 70 pages written and we've got... The maps are the big thing and that's not my area, so we're going to have to make sure that the maps coincide with what we're saying in the Comprehensive Plan and that's huge.

Mayor Jones: And you're just getting ready to take on the growth area, which is also huge. But again, resetting a goal date will be helpful for all and it's not like what we were up against as the May date; we now have time, but I think it also is wise to set a target date.

Barry Goodinson: Yeah, I just don't want it to be too far out, because really this is like going before the Parole Board and keep on getting it pushed and pushed and pushed and having your sentence extended.

Councilwoman Patterson: But if we can find room in the budget to get a Certified Planner, it sounds like a lot of the work has already been done and that will help with the costs.

Barry Goodinson: Yes, absolutely.

Councilwoman Patterson: If the town can help budget for that, then we really have a really solid Comprehensive Plan, not like what we had in 2010, but it really will carry us down the road for the next ten years. You guys have done most of the work, so with the rest of the town stepping in finding room in the budget, even if it's 2016; that's not that far away, as you know; time goes really fast because we meet once a month.

Hal Godwin: Even though the 2010 Plan was certified, it was a good Plan. It was full of Milton's history and there was a lot of very good information in there, but it's time to go to the next size; go from large to extra large. It's time to step up to the next level.

Councilwoman Patterson: Well everything's changing in Sussex County and Milton is in the growth corridor now and let's make sure that we fit in with the rest of Sussex County.

Connie Holland: And there are some Grants available. I'm not sure that you didn't get one. DNREC's giving grants through the Coastal Program... did you get that?

Barry Goodinson: Yes, we got one.

Connie Holland: I will tell you to keep in mind when you're going through this Comprehensive Plan to look for areas where you want "Master Plans". We don't look at just one parcel anymore; this maybe an area over here where it would be mixed use and so on; what you want to do on your... Those plans have been extremely successful. You can see that it has worked so well for Milford, it really has and Laurel's trying to do one right now, so we think you guys are really ready for that.

Barry Goodinson: I think that's an important point. Having this do-it-yourself Comprehensive Plan has put us in a position where we've had to reach out to experts, topic specific experts and those topic specific experts have been bringing us these grant

opportunities, so rather than having a consultant do it and kind of going through the motions, we've created relationships with folks that have already started to be fruitful, so I don't want to change that model. I think that's been helpful for us and I don't want to get a turnkey Comprehensive Plan.

Hal Godwin: No, but I do think if we had a Certified Planner under contract, they could be working on this on a daily basis and then Barry and the Planning and Zoning Commission review it, review it and review it and bring it back to you for review; we're moving now. Now we've got something new happening every week.

Mayor Jones: I have a question, if I may, Barry. You had sent some Plan sections up to Dorothy. Are you utilizing Mr. Osborne for that pre-review too?

Barry Goodinson: Yes.

Mayor Jones: Because you know that's available to you.

Barry Goodinson: Yes, as we've been writing the different sections, or as I have written sections of the Comprehensive Plan myself, then I asked Dorothy and Connie to review it to make sure... because like I said, this is not what I do for a living. I do other types of writing, so I wanted to make sure that I'm not going off on some lark, so I sent it up to them. The River section I sent to Susan Love at DNREC to make sure that things that were in that, were kosher. Then, also, Tom Osborne has also looked at it, as well.

Mayor Jones: I have to just say one comment that was made earlier that one of the candidates did not appear well versed on the Comprehensive Plan, or what's in it. I have to tell you I attended several of the meetings, but my statement would also be the same. I may know the flavor, but I have never seen a draft and so in whatever candidates' defense that said that, it's just that we haven't seen it on paper yet, so if you could keep us in the loop and even if what Hal first talked about, the baby steps of doing this section and then this section; that sounds...

Barry Goodinson: We specifically haven't sent early drafts of the Plan to you, because we wanted to make sure that they passed muster with Tom Osborne and they pass muster with the State Planning Office, because if you send it to a bunch of people before the experts look at it, then you have a whole lot of people saying well edit this, edit this, edit this and that's just a big waste of time.

Mayor Jones: No, I agree with you.

Barry Goodinson: Then subsequently you'll be getting iterations of it. It didn't seem to make sense.

Hal Godwin: The part that I had written, which is like the first 35-40 pages, is all just information you get from the U.S. Census Bureau, so I wasn't adding any flavor. I was just trying to make sure the hard numbers were in place, so that Barry could do what he does best, which is to put flavor in. So that's where we were. I do think that we need to be cognizant of the fact that the State Planning Office doesn't generally offer review like this, as a service and we should be using Mr. Osborne or whoever our consultant would be, because they're Certified and they should be able to give us good, sound advice on a document that will pass the State muster. I would just remind ourselves that Connie and Dorothy have been a lot of help, but we can't go to them with everything.

Barry Goodinson: The expectation was not that they would review every section as we wrote it, but the way it's being written is different from a lot of the Comprehensive Plans, because frankly, a lot of these Comprehensive Plans are boring. You don't want to

read them and I want this Comprehensive Plan to be something that people really want to read, that it has prose that's compelling and interesting and it flows and it doesn't feel like an official document, it feels like a visionary document; but I also didn't want it to go so far off that it wasn't doing what we needed to do, so I wanted to make sure that the direction we were going, provided people the visionary stuff they want and the readability that I think is important, but also met the requirements of the State, so that is why I went up there.

Connie Holland: We don't usually do that, but Barry caught me on Christmas Eve and so I couldn't do that.

Barry Goodinson: I cried.

Connie Holland: One thing I do want remind him and Barry's right, Comprehensive Plans can be extremely, extremely dry; but they do have to... I did take a course at Wesley, it's called Governmental Tech Writing. They need to be in fifth grade language and I'm not trying to dumb it down, but it does need to be in fifth grade language, understandable, to the point and it does have to give your vision, those maps have to meet... Your Comprehensive Plan maps will have to subsequently meet up with your zoning maps and it's hugely important for you to take the Resources, like Susan Love and DelDOT almost has to write your component. I know that might be when they go "ouch", it's Milton. They can be very beneficial to you. There's new people there. You need to know what's on their radar screen too and what is in the Capital Improvement Program and what they see that they can give you money for. They're now doing TOD's, which are Transportation Districts and they'll give you money to help through certain municipalities have trouble with truck routes, or all these scenarios, so don't look at us as the enemy. It has to be factual, but it gets us all thinking, and this is what I told you when I first came down the first time, look at your top three components of what you want and how you want it to develop; because it's art. It really is. You can't be everything to everybody, but what are the three most important to you? It will start meshing together, usually, with how you want a community to grow, but look to Susan Love on sea level rise and DNREC for the flooding issues and all, it's Delaware, the way we are and DelDOT, Historic Preservation, what you want to preserve; working with your development community; making sure that it's business-friendly, you want to keep... This is why I am so happy with the downtown revitalization and the healthy communities, because it needs to keep us all together and keep the communities... we found out the towns where all the developments are going, we do an annual report to the Governor and where the growth is going is enroute to the towns.

Dorothy Morris: Just as an FYI, for anybody here who hasn't been at the other meetings, we talk about certification, the State has a checklist that Delaware Code requires certain things to be in a Comprehensive Plan. We also in our checklist we've developed with the other State Agencies, a lot of recommendations; things that we've seen other towns deal with and as a statewide issue and so we give those recommendations to the town.

Obviously Delaware Code has to be in there for certification. The recommendations are things that we'd like to you to think about and if it relates to your town, then you should certainly put it in there. But when it comes up for certification, we're going to make sure that the Delaware Code issues are in there and the rest of the Plan is your vision and your plan for the future.

Mayor Jones: I have a question, kind of a comment question to our own Solicitor, because the Resolution is our Solicitor's idea, the way we approach things, it's Council's basic promise to do it this way and follow through. So I think the Resolution has been a good idea and I think Council still will need to make a commitment in the form of a Resolution, but what we need from you is the when and how much and the what? Just like the correspondence you and I had the first time I sent you that document and you were still very much involved in getting your meeting's set, so I look for your meetings to continue. I look forward to Thursday night's meeting, especially and then you come back to us and we continue the conversation. I think that's the way this will go. Is that the way we all pictured this, at this point?

Barry Goodinson: Yes, we have a schedule that is to bring us through to the completion of the Plan, although we have to tweak it because the last meeting had to be cancelled because we didn't have a quorum.

Hal Godwin: I believe you have the option and the Solicitor can correct me if I'm wrong. Since you have Pennoni under contract, as your engineer, you probably have the option to use them, which would become Osborne for some of these services at an hourly rate and you wouldn't need to actually put it out for an Request for Proposal, but if you wanted to have all other Certified Planner's or companies take a look at and maybe make an offer, a presentation and there are a number of folks around this immediate area that do these Comprehensive Plans pretty darn well. The point is if you put out an Request for Proposal as to what they're suggesting and then you're going to get other ideas on what it would cost and that might help you actually develop some of your dates and your goals, because you thought it was going to cost XYZ; it's not going to cost that much, so we can add some things. My point is that the Resolution was just intended to create this conversation, but I thought that there needed to be a document that we're going to talk around.

Seth Thompson: Just from my perspective these are professional services so you don't have to put it out to bid. Hal's absolutely right. If the Town approves a Task Order, Pennoni can be charged with something other than their normal services. Hearing tonight I definitely would have used a different preposition than in 2020, clearly; it sounds like the Plan is to have it certified before 2020.

Dorothy Morris: I knew that 2020 was a scary number for everyone here, but by law I had to let you know the options that are available.

Mayor Jones: So would you rewrite a Resolution of Council's commitment through a Work Order with Pennoni at this time? That was an agreement that we actually made in that meeting when Don Mazzeo was still Chair. Hal was there and we talked about the Work Orders going through Mrs. Rogers for Mr. Osborne; is that anything different? Do we need to create a Resolution now with any of this new information that we are still committed to that?

Seth Thompson: Yeah, if Kristy already has been authorized to engage Pennoni, she can certainly do that. This would be more if the Town Council wanted proposals from other Certified Planners. So it's up to you guys.

Councilwoman Patterson: But do we? Like Hal just said, sometimes it brings up things from...

Hal Godwin: I have a tremendous amount of respect for Mr. Osborne. I've known

Pennoni for years and years. They are a great company. I just wanted to ... like a car. Toyota's are good, so are Fords, Dodges are great; there's a lot of choices out there in the marketplace, some very close to here that are small companies, one or two people that do these jobs exceptionally well and I think I've heard some of that from Ed Lewandowski who has been a great help to us from University of Delaware. He knows folks that would be willing to take a look at a bid on this project. It's just a thought. I think whichever way you go would be fine. I think Mr. Osborne is a great guy. He's already volunteered a lot of time with me and with Barry. I know he's sat with me one day for a couple of hours and then everything I had done, home, marked it up, brought it back; so I mean he's already got some time in this.

Barry Goodinson: Right and he did the same with my stuff.

Connie Holland: The State wants to tell you that we don't even have a list of consultants we use, because it's kind of like a Conflict of Interest for us. I would warn you that I would want to look for somebody that has a track record on one of these, because I've worked with really, really, really consultants and some haven't been quite as good.

Hal Godwin: It's like everything else. There's great and there's okay.

Connie Holland: Some of them charge you a lot of money and actually we just talked with the University of Delaware today, that we have a lot of data in Delaware. We're doing state strategies for policy spending. We used to get a consultant to do that. We don't do that anymore, because we collect all the data from you, as a Town, and then we have the data that [unintelligible] for the State. So just be leary of that. I would hate to see you go out and hire a consultant; I'll never be allowed to be a consultant in this State and I have friends that are consultants. I'm not, but it does bother me. If you could get it for free, I would rather you be able to get that information and spend it somewhere else to benefit the town, then I would collect the data, if we could get it for you for free, which we try to help you here. If your consultant has trouble with the Census, then send them to us. We'll get that to you for free. Some of the mapping we can do for free; not all of it, but some of it.

Hal Godwin: The Planning Conference that Jocelyn and I went to last fall in Newark, we both learned a lot of access for information; that was a really good conference.

Connie Holland: DelDOT even has a new... it could show you what your new development looks like on the ground. Do you like this, do you like that? It's a really good reality check. A picture is worth 1,000 words, especially when you're my age. Words sometimes can get confusing.

Mayor Jones: So part of the issue here this evening and I don't know that it needs to be decided here this evening, but that Council understand that right now the Planning and Zoning Commission have at their disposal, within our budget span, Mr. Osborne, who is our Certified Planner to help them along on your writings at this time. It would be Council's decision, I guess, whether or not with what Hal said, putting it out for Planner's that may have ideas; just even if you stayed in the State.

Hal Godwin: If you're putting out an RFP it's a Request for Proposal. They're going to come back to you and say well here's how we do it and here's an example. Here's one of the towns in Delaware that we've done. This one cost XYZ dollars. So you'll get product to look at, with price tags on it.

Mayor Jones: But Mr. Osborne, or Pennoni, would also be in the competition.

Hal Godwin: Sure.

Mayor Jones: Because I think he's a gem. I do.

Hal Godwin: No doubt in my mind.

Councilman West: Madame Mayor, I think that they ought to be able to use what resources that they can find to help the town out, because we need all the help we can get.

Barry Goodinson: We have been casting a wide net and as so, we've been bringing in experts from all quarter's, so I think we've got a lot for cheap. I spoke with some Planner's who have joked and said, there is no way we could have taken on the type of Planning that you have undertaken, with the number of meetings you've done; because it would just be too expensive and we look back and we've done it ourselves; we've saved ten's and ten's of thousands of dollars already.

Councilwoman Patterson: The you _____ it's like the fingerprint of the Town, because you actually have gotten so many people from our town to participate, which has been amazing.

Hal Godwin: And we've been very lucky to be able to introduce the townspeople to all these fine people that work for the State of Delaware who've been willing to help us, come to our evening meetings, come to our Saturday meetings and help us learn how to do this, in house and bring us valuable information for our Plan.

Barry Goodinson: One of the things about this that's been surprising to me, is how a lot of the ideas are sort of inevitable. There's a great deal of consensus about different ideas that have bubbled up. Everyone thinks that they've got a great idea and then you realize that everyone has the same great idea. So there's a great amount of uniformity that has arisen and when you look at the Survey and I think you all have looked at it, there's a lot of consensus there, so I think a Planner will help us to organize that and like I said, I think the maps are the areas that we're going to need the most, sort of grown up help with, because I'm words. I'm not maps.

Mayor Jones: Well I, for one, because I don't know what action, as I stated I wasn't looking for a vote or any action this evening, but from here my thought is that the two of you need to take it back to the Commission, get some feedback. These are some offers, some ideas from Council, but I'd like to revisit this and find out what those opinions are in your Commission.

Barry Goodinson: It's nice to know we have more time and the possibility of more money and that's basically what we're saying here.

Mayor Jones: Well that more money comes in the form of that professional to help you finish this. Getting back to us would be really helpful.

Barry Goodinson: Okay, alright.

Mayor Jones: Any other questions Council had of anybody here this evening?

Councilman Coté: We're talking about what year this is going to be done, 2015; somebody mentioned 2017? I'm trying to get a feel for what our next steps are and what the prescribed next steps are and a timeframe for those.

Barry Goodinson: I want this thing done. I want my office back, at home, so I want this done as quickly as possible, but without compromising on the quality, so in my head we have been pushing through and trying to get... we have these last couple of meetings. We have a few more Workshops that we're doing to roll up our sleeves and make some

decisions about specific sections of the Comprehensive Plan and then it gets bumped over to Tom or to whomever, but I don't want to see it go past 2015. I don't want this to be a 2016 Plan.

Mayor Jones: Are you able then, to look at your schedule, I know you have a big one this Thursday, but perhaps your next regular meeting, or another Comprehensive Plan Meeting where you have enough time to get it on your agenda to discuss, this... this evening and that you can possibly give us some feedback.

Barry Goodinson: Sure. Absolutely.

Mayor Jones: That would be great.

Hal Godwin: I'd like to release the people back here. There's ice running, as we talk.

Barry Goodinson: Thank you very, very much.

Mayor Jones: Thank you very, very much. Thank you, Connie.

Councilman Garde: Barry, I would just say, please don't slow down. Keep doing what you're doing. Keep on the path you're on. Keep doing what you're doing. Utilize Tom Osborne to the extent that you think you need to and then bring your suggestions back to us for professional help; but please plow forward as you are.

Councilwoman Patterson: We have such good momentum.

Barry Goodinson: I don't want to lose that.

Councilman Coté: I, for one, would really like to see a draft of what we've got; what it says; how everything has come together. I'm anxious to see it.

b. Rescheduling of the regular May Town Council meeting

Mayor Jones: I'm making a request of Council this evening to hold our May meeting of Council on Monday, the 11th of May, instead of Monday, the 4th. I have in front of me minutes from May 7, 2014 in which former Mayor Bushey came before Council reading from the Town Charters, Section IX, Regular and Special Meetings. He indicated that if the first Monday of the month shall be a legal holiday or Council deems they are unable to meet the requirements for the first Monday of the month, the monthly meeting of the Town Council shall be held on the following Monday of the month. That is why I'm requesting May the 11th.

Councilman West: Madame Mayor, I make a motion that we change the May meeting to May 11th.

Councilwoman Parker-Selby: Second.

Mayor Jones: Any discussion or questions or concerns? All in favor say aye. Opposed. Motion carried. Thank you very much.

c. USDA Signage Grant – Funding for Governor's Walk archway signage

Mayor Jones: Mr. Alex Donnan is here. They're already in our packages, Alex. Both of them.

Alex Donnan: Super. Okay let me just give you a brief update in what's happened over the last month or so. We've gotten two more signs, list signs, showing the attractions in town. One opposite H. O. Brittingham, so the 1,000, sometimes 1,500 people watching soccer matches know that we're here. We also got one, finally, at Cave Neck Road and Front Street. You make that turn, there's one there now too. I'm not sure that anyone saw the new sign.

Mayor Jones: I don't think so.

Alex Donnan: These are the signs that we were just mentioning and this is not the greatest picture in the world, because it's stored and I had to wiggle in to try and get a picture of it. This is the new logo sign, so-called Gateway sign, that's 8'X4', which we're trying to get on Route 1, just north of Route 5, where the other one was; it was destroyed by a car about five years ago. I've been knocked down on my first choice of position, which was at Waples Pond, because the rule would put the sign in the pond; DelDOT, thank you, so I'm looking for a new spot, but right now we're looking at Prescott Properties. I'm going to talk to them [unintelligible] so this may be some fun, but we're trying to get it on there where the sign was before and it will be a lovely sign and the sign is already made and we're looking for the spot... The other issue is do we have funds for the Governor's Walk sign? That's kind of an expensive sign. We've currently spent about \$5,000 for all the signs we've put in so far, including the new big sign, so we have about \$9,000 left in the grant. The two bids we've gotten so far, one was the latest sign by Grisanty, which I think you've seen earlier.

Mayor Jones: They are in the back of your packages folks.

Alex Donnan: That's got separate numbers. They'll just walk each number separate and then it's got another sign beneath, that gives them information as to why do you want to go through this alley. I hope you noticed that. One of the reasons for that is this sign is going to be mounted between the two buildings, Irish Eyes and the Mercantile buildings; it's going to be attached to the building, therefore you want as little air pressure on that sign as possible, because that transfers it to the building. Those are ancient buildings, so we don't want to destroy the buildings, just to mount the sign. We want the sign to be as airy as possible for that reason. The other one is the original sign...

Mayor Jones: The approved sign.

Alex Donnan: The approved sign and that is a solid sign, which I would object to; we could make each number separate and it's got a lot more filigree to it, but it's got no information on it. The key here, right now, is we have the money. We have some time. I have an extension request in, which I didn't know it was granted already, but Mayor Jones told me it was granted already, so I'm not up on my emails; so we're okay on time. We need to decide which sign we want and get that bedded down, reasonably quickly. Then we can move ahead when the building is finished and we understand what the dimensions are that are actually there and the mounting is not going to pose any problem to an antique building. That's where we are.

Mayor Jones: Don't go away, because I think I know what Mr. Thompson's looking at. Under a Grant, even though it is a Grant, something as "substantial" and he'll correct me if I'm wrong, something as "substantial" as a \$7,200 sign, is going to have to go to bid.

Alex Donnan: Yes.

Seth Thompson: Often the Grant normally imposes State procurement requirements as well, you have to look at the individual grant, but that's right.

Alex Donnan: USDA says as far as they're concerned, that sign should not be an issue, the value. I brought that up because I thought well there might be some issue on their part, but they said no.

Mayor Jones: Now, just for the rest of the Council, just before the meeting, Alex and I

looked at what we call the approved one, which is the one that has the heavier scroll and filligree and wondered if that was made more; a little bit of cut back on the scroll at the bottom and allowed a second sign of information to hang from that and allow, also, some kind of pass through letters there. I am fond of the approved one. I think the scroll work is really quite attractive, but I agree also that perhaps we could come to a compromise of a matching of something from the both.

Alex Donnan: Yes, that's fine.

Mayor Jones: We'll discuss that. Now there's nothing on the agenda tonight for a vote, so I think we should bring this back up and ask Council what their feeling is on the couple of models that we have. Does that sound fair?

Alex Donnan: Yes, I could talk to Mr. Grisanty and ask him if he would participate in blending the two and coming up with some other options, then we can go that route.

Councilwoman Patterson: I do think that the first one on here, that says the Bandstand, the Riverboat Ramp and Children's Train. If I was somebody visiting the Town, that would _____ a lot through that alleyway; I mean, this is pretty, it's scrolled, but there's nothing there. So point it through and let me see the other side.

Alex Donnan: That was my point. Some of that lettering I would change too. I don't think I'd put Bandstand on, but I think I'd put Memorial Park.

Councilwoman Patterson: I like Bandstand, because it sounds well...

Mayor Jones: Pavilion.

Alex Donnan: I'd like to add Lion's to the train to give them some credit, which they've been doing for many years and Mr. Collier's been Chief Engineer on that for many, many years. A little print in there wouldn't hurt.

Mayor Jones: And we have a public boat ramp, which is a public dock that can be advertised.

Councilwoman Patterson: Public boat ramp.

Alex Donnan: There are plenty of options in there.

Councilwoman Patterson: The Children's Train will draw people; that would intrigue people.

Mayor Jones: Before we leave signs, weren't you looking at a sign that had some sort of interchangeable information, whereas summer hours would draw you in through the Governor's Walk for Concert in the Park on Wednesdays from these signs? Then when other things happen, like Bargains on the Broadkill, the Horseshoe Crab Festival, something that made it a little more interchangeable? You were talking about that on Chandler Street, weren't you?

Councilman Kost: Yes, I talked to John about it and we can't do it on Chandler Street, because of a site clearance issue, however, what I was going to try to do was talk to the Historical Society and see if we could put a sign similar to the sign that's on Route 5, the Milton sign; do one like that. Instead of saying Milton, say Milton Memorial Park and underneath there we'll put events on the opposite side of the arrow pointing to the sign, so when you're driving down the road you'd see it. This sign is a great sign, but if you're driving, it would be very difficult for a newcomer, just first time coming in, to even know there's a park there.

Alex Donnan: That's true.

Councilman Kost: I've been looking for a way to do that and I haven't quite come up

with one yet.

Mayor Jones: Let me pass your pictures back to you. Thank you for working on this project. The new signs are great and if you would do that Alex and ask Rail if he's willing to work a little bit more with you and if, at any time, if you would like the very large roll up plan that I have, I would be glad to give that to you.

Alex Donnan: That's fine. Very good.

Mayor Jones: No action on this, but you've convinced us we need to go out to bid.

Seth Thompson: As my other little legal note, I see the one proposal talks about letters of permission and securing to the building; you're going to need something a little more permanent than that; not in terms of the anchoring, but in terms of the permission, so you'll probably need an easement to record, so that future property owners are bound by this, as well.

Councilman Kost: And maintenance.

Seth Thompson: Yeah, I imagine the easement will put the maintenance obligation on the Town, which is only fair, since it's a Town sign, but you have letters...

Mayor Jones: Nothing you have to worry about.

Alex Donnan: Except that it was an option to not mount it on the buildings and put two poles and that's on the poles, which would obviate that issue.

Seth Thompson: You're right. It would. Because I think the Town owns that alley.

Alex Donnan: It would be on our own property. That's another option, as I said.

Mayor Jones: Thank you very much.

d. Abatement of nuisances and/or condemnation of 117 Collins Street

John Collier: Good evening again, Mayor and Council. We have a new property. Well it's not a new property, we have another property in town that's in quite dilapidated shape. The address of this property is 117 Collins Street and it was found to be in numerous violations of the Housing Standards and those were listed in a Memorandum that you should have received this evening. The owner of record has been duly noticed in the infractions and was given 30 days to correct or demolish. They did sign for the service. We waited the 30 day period and there was no response, so we sent a second certified notification asking them to board it up, as it was a structure unfit for human habitation. They refused service of the notice and that just recently occurred, so we're at this stage, at this point. Attached for you to see, to get an idea of what we're looking at here, are pictures of the building. It has missing windows, an obvious problem with the foundation failing in front of the building. If you look at the pictures, it shows a concrete front porch structure; you can see it heaving and cracking. They have unlocked doors, unglazed windows, broken glass, opened windows, asbestos cement siding falling off of it. It's a mess. As near as I can tell the house has been unoccupied for at least 15 years. It's a non-resident owner.

Councilwoman Parker-Selby: I knew the Prettyman family, everybody knows the Prettyman family and the oldest son, Bernard, lives in Rhode Island. I'm very surprised that Bernard has not answered this. I'm going to get on the phone tonight to him, because Bernard is quite capable of taking care of business. He's very well educated and something's not right, so I know you're doing this, but I am going to go on record to contact the family, because they're very responsible people and he does take care of

business, so something's wrong with that.

John Collier: The first time a notice was served, it went almost the entire period before there was even a signature for the response and that signature was a different first name, other than the first name that you've given me, as well as the first name that we're sending the notice to.

Councilwoman Parker-Selby: John Bernard Prettyman and that does not even look like his writing, because I know them since we were children. I will definitely look into this.

John Collier: They've been very non-responsive is all I'm able to tell you councilwoman and...

Councilwoman Parker-Selby: I just want to make sure that he really got it, because something's not right.

John Collier: This is the property that's infamous with the snakes crawling up in and out the second floor, during the season that snakes are in season.

Councilwoman Patterson: In this one picture, it looks like there's some kind of an animal in the house.

Mayor Jones: No snakes don't make those little footprints.

Councilwoman Patterson: The footprint and...

Councilwoman Parker-Selby: I heard some kind of squatter's are in there.

Mayor Jones: No, those look like animals.

John Collier: At this particular point in time, the request is for the Council to give us direction as to what you want the next step to be. Of course, it appears to have asbestos cement siding on it. Before we can move forward with any action that may require an inspection, which is also an expense, which should be passed to the property owner, however, with Councilwoman Parker-Selby taking it upon herself to make a personal plea, I'll leave it to the discretion of the Council as to how soon we move forward with this.

Councilwoman Parker-Selby: I'm not seeking any special treatment, but I think something's wrong with this, because I know this gentleman is a highly educated, highly qualified person to take care of business and something's wrong with this. So I'm going to check it out.

Councilman West: Then I make a motion we table this until our next regular Council Meeting.

Councilwoman Patterson: Second.

Councilman Garde: Until our next meeting, whether it's regular or special.

Mayor Jones: Well, hold it. Our next meeting is Monday and we won't be talking about this.

Councilman Garde: Our next meeting on Monday is a workshop. Are we going to have a second public meeting in March?

Councilwoman Patterson: Do you need two weeks, or do you need a month?

Councilwoman Parker-Selby: I'm going to call him up tonight and tell him we're not discussing it next meeting, at the workshop, its not on our agenda.

Councilman Garde: My only reason for at least thinking out loud, is if we're going to have an inspection of the property on Atlantic Avenue, we might be able to get a two-fer if we inspect both properties at the same time, instead of at separate times; so that's why I'm trying to at least... maybe I could make a motion that if Councilwoman Parker-

Selby's phone call results in either a non-response or a non-responsiveness that we add the asbestos inspection only and a lien for that small amount of the second asbestos inspection.

Councilwoman Parker-Selby: I have no problem with that, Councilman Garde.

Councilman Garde: But we'd wait... I don't know how that could work process-wise though.

Seth Thompson: Just in terms of specific process, I think we have one motion that's seconded. Did you want Councilman West to potentially withdraw his motion, so you could make yours?

Councilman Garde: No. I'll withdraw mine.

Seth Thompson: Which puts us back to the motion to table it.

Mayor Jones: I think in tabling it, we need to know that we'll have information enough to go forward at our next meeting.

Councilwoman Parker-Selby: I agree with that.

Councilman West: And as long as we're under discussion, Mr. Collier can go ahead and try to line up for the Atlantic Street, with the possibility of the same guy doing, at the same time, doing this property on Collins.

Councilwoman Parker-Selby: While we're on this topic, have we taken care of the Milstead property on 16, as well; because that also was up for this same type of...

Mayor Jones: Well that's up for demolition now.

Councilwoman Parker-Selby: Oh, that's going to demolition?

Councilman West: That one's all taken care of, Estelle.

Councilwoman Parker-Selby: And they checked the asbestos on it, too?

Mayor Jones: Everything was done.

Councilman West: Is that a possibility?

John Collier: Let me just make sure I understand what your request is. You're asking me to simultaneously schedule asbestos inspections for both properties? Is that what...

Councilman West: See if we can do that, after we reach a decision on this.

John Collier: I can certainly move forward with 307 as early as tomorrow. I would respectfully refrain, until Council convenes again... but I can certainly have somebody engaged with the idea that we've got another one coming. That's not a problem.

Councilman West: That's what I'm getting at.

John Collier: That I can do.

Councilman Kost: Could you also get an estimate of cost?

John Collier: I can certainly do that, as well, Sir.

Mayor Jones: On the inspection you mean?

Councilman Kost: Yes, on the inspection.

Councilman West: That way when we vote on this Collins Street, he'll have the recommendations of what it's going to cost, more than likely for both of them. Is that a possibility John?

John Collier: We can make it happen, Sir.

Mayor Jones: Right now a preliminary second Town Council meeting is scheduled for the 16th. We'll need to have this back on the agenda for that. Thank you. So we have a motion to table it, allow some action to take place. We'll return on the 16th to look at this matter again. All those in favor say aye. Opposed. Motion carried.

- e. Resolution 2015-005 Designating Duties of the Office of Town Manager
- Seth Thompson: We did this one previously and I gather that time period has come and gone. This is just based on the fact that you don't currently have a Town Manager and your Charter allows you to designate a qualified person to perform the duties of the Town Manager in that instance. So the question is how long you would want to appoint Mrs. Rogers to serve in that role. This is for purposes of Chapter 26, which is your Personnel, as well as for anything in the Charter.
- Councilman Garde: Can I just confirm when the current appointment expires?
- Seth Thompson: That is a good question.
- Kristy Rogers: It expires this month.
- Councilman Garde: It expires this month. The reason I'm asking is that we shall have a town election and some of the people who are running have some opinions about a Town Manager, so I would appoint Mrs. Rogers for a longer period, but I don't think that's fair. I think my view is that we should make it a fairly short period to allow the newly elected members, when the April meeting happens, to have a chance to get a voice on the matter. So I would suggest a short term, perhaps two months. That would take her through April and May and then allow the new Council to look at it with perhaps some different vision and take it from there.
- Councilman West: Councilman Garde, to bring you up to speed, the last time that we hired a Town Manager it took six to eight months. Am I right Cliff? Six months to hire one and I say that we should make her term at least twelve months, because by the time you start putting this in the paper to get that, it's going to be June, by the time you do it; then it would be August before you would get anybody to come back. Now you're talking until after the first of the year to get something done.
- Councilman Garde: Okay.
- Councilman West: I'd like to make a motion that we renew this for twelve months, minimum.
- Councilman Coté: Second.
- Mayor Jones: Further discussion?
- Councilman Garde: I made my voice... I think it should be for less and not because of her level of competence. I would support it at twelve months on my own, but I just think that's unfair to people coming on to this Council in the near future, so I would look for something shorter.
- Seth Thompson: Councilman Garde, the language that's drafted does indicate that it would be for twelve months or further action, whichever occurs first. So there is a door there, that if a subsequent Council wants to do something differently, they can. They can propose a different resolution. But if nothing happens, it would be the twelve months.
- Councilman Garde: Thank you for clarifying that.
- Councilwoman Parker-Selby: I would go along with the twelve months, simply because I've served on hiring a Town Manager before and it is a task. Sometimes you do not get the qualified people immediately. You have people who have experiences, but not that, as Emory has stated, it's not necessarily that you're going to get automatically a qualified, so called Town Manager, so the more time you can advertise and have that time, if that's what you desire, you have more of a pool of qualified individuals to

interview. I too, speaking as an Educator and one who's still out here promoting youth and young people into getting experiences, we're in a community and I am too a Senior Citizen, now, proud of it; however, I do think that we need to start coaching, mentoring and training people to take places for people who have been in positions for times. Even though we've had experiences, we have to train the next generation and I consider Mrs. Rogers the next generation. I think she's doing a fantastic job, not having the experience. When I got my first position, they threw me in the classroom, gave me a key and a room and said, you're on your own. So I know how it feels when people stand outside and criticize and degrade and have derogatory remarks about people who have not had experiences. How in the world are people going to get experiences, if Senior Citizens like ourselves, do not allow these younger people, the next generation, to get these experiences. So the twelve months and beyond, if possible and I go with the twelve months.

Mayor Jones: So we have a motion and a second on the table...

Councilman Coté: I was going to add. Again, I seconded it, so I'm in favor of the twelve months and I would add that I think that Mrs. Rogers is doing a fine job handling the town as things come along.

Mayor Jones: I'd like to not only add to what you said, but I think our audit report proves that very well. Thank you.

Councilman Coté: That's true because we did have basically a surplus of about over \$200,000, which is superior to year's of past Town Managers, by a significant amount. I do have a question about the Resolution, though. It refers to a short-term contract. Is that a short-term appointment, because I don't believe we actually have a contract document. Do we?

Seth Thompson: Do we have a contract with our Town Clerk?

Mayor Jones: Not a contract. It was the original agreement, wasn't it? Yes, the original agreement.

Seth Thompson: The original agreement, meaning...

Mayor Jones: Between Council appointing Kristy into that position.

Councilman Coté: It was an appointment, not a contract.

Seth Thompson: Right.

Mayor Jones: So what do you want to do with that word?

Seth Thompson: We can't do anything about that. That's in our Charter. You're right that often there's a distinction that's drawn between contract employee's vs. at will employee's. If Council wanted, we could draw up a short-term contract, a twelve month contract. It really probably is what the Charter's envisioning there as opposed to Mrs. Rogers being an at will employee.

Mayor Jones: Is that separate from this vote?

Seth Thompson: Yes. Somebody looking at the agenda would not think we're going to start discussing a contract.

Mayor Jones: And we wouldn't discuss it openly to start with, would we?

Seth Thompson: Correct. You're going to have a difficult time negotiating in public.

Mayor Jones: So right now we have a motion and a second to extend the designated duties of Office of Town Manager to Mrs. Rogers. All in favor say aye. Opposed.

Councilman Garde: Nay.

Mayor Jones: Motion carried.

Councilman Garde: I just want to add with my nay, that it is not a reflection on Mrs. Rogers' performance in the smallest way. I also endorse that she's near as I can evaluate doing an outstanding job. My nay is to try to make some room for future members of the Town Council to voice on that.

Seth Thompson: And just to follow up on the Charter language, it does say the Council may designate a qualified person who may be awarded a short-term contract; so it's not a shall, meaning you don't necessarily have to go that route.

g. Recommendation from Water Committee regarding land acquisition

Mayor Jones: The last item under the regular agenda you will see three recommendations from the Water Committee. The first being a recommendation for all information generated in the past by the Land Acquisition Committee be made available to the Water Committee and that the Water Committee be charged with the responsibility to report back to Mayor and Council with a recommendation for a potential site, or sites, for a new water well, treatment plant and future water tower out of the flood zone and south of the Broadkill River. One thing I pick up on this recommendation that has not necessarily been seen before is that a couple of years ago, coming from the Water Committee, it was to punch a new well. Now you're including that this has a potential to be a future site for a water tower.

Greg Wingo: Yes, the Water Committee has talked several times. If we go out there looking for land, it's not only in our eyes, we need to look for something a little bit big enough to carry not only just the well, but a treatment plant. Of course, everybody knows our treatment plant is in the flood zone and we're also going to have to treat that well anyway, depending on what size plant we end up putting there and then in the future if we feel the need and we have to go for another water tower, it would be very nice to have that right there in the same area.

Mayor Jones: So the Land Acquisition Committee, in preparing a letter for signature to a landholder, would make it very clear that there could be a potential for a water tower at that location, at a later date?

Greg Wingo: Absolutely, like I said, the area probably we're looking at is anywhere up to 1 to 2 acres for the future. We're looking five, ten, fifteen, twenty, thirty years down the road. If we can get the area in spot, not to say where we're looking, but basically on the south side of town, we have a lot of newer pipes in that area, so you wouldn't have all that extra cost in piping in there. We haven't gone and looked, it's quite possible we might be able to pick up the land for nothing; we just don't know. What we're looking for, the way that this would actually have to go is that the Mayor and the Council would have to basically disband the prior Land Acquisition Committee before the Water Committee can go out and do any of this.

Mayor Jones: I would have said that the Land Acquisition Committee prior, had been sunsetted, but if it had not, then that's a procedural thing that must be done.

Greg Wingo: I have looked through the minutes and I have not yet found any of that yet.

Mayor Jones: Okay.

Councilman West: If I recall Madame Mayor, that Land Acquisition Committee was dissolved.

Mayor Jones: That's what I recalled.

Councilman West: I can't remember when, but it was dissolved, because it was Mr. Bushey and myself, Dennis Hughes and Allen Atkins.

Mayor Jones: I believe it has been.

Councilman West: And Dustan Russum, there were five of us.

Mayor Jones: Just a finer point. Does the Water Committee now need appointments within that they are now the ambassadors going out as a Land Acquisition Committee? How's this working? Because we now have a member of the Water Committee who is a council member and a potential Land Acquisition Committee member and then may have to come in and vote on his own recommendations.

Councilman West: Madame Mayor, I was on the Council at that time and I was more or less an overseer; had nothing to do and Councilman Garde cannot be on that Land Acquisition Committee, outside of being an overseer.

Mayor Jones: Okay, well what's an overseer, as opposed to a member?

Councilman West: What it does, is he's in contact with that committee, to keep him informed of what's going on so he's aware of what's going on.

Seth Thompson: So a liaison?

Councilman West: He's a liaison.

Councilman Kost: Would the Land Acquisition Committee...

Councilman West: Yeah, you're into that 10th grade...

Councilman Garde: Either that or I could resign from the Water Committee.

Mayor Jones: The question is, will this Land Acquisition Committee be doing land acquisition for other purposes and the answer is no.

Seth Thompson: I guess maybe it's kind of the nomenclature thing, but is the thought to form a new committee? It sounds like the Water Committee's suggestion is to just assign this task to an existing committee, as opposed to forming a new committee.

Councilman West: Yes, Mr. Thompson, what it was before, was it was just members of the Committee that went around. It started with Allen Atkins when he was here and then when Allen left us, then Dustan took over and now it should be Greg and whoever he wants. There's no law that says how many people have to be on that. Three people could do it. Two people could do it. Then they come back and make the recommendation to the Council and then the Mayor would write a letter requesting, to these landowner's, about purchasing the property.

Seth Thompson: Right. So the thought is to charge either the Water Committee or some other Committee to do this, so that they have the proper authority to actually investigate the possibility and so if you're a potential seller of property, you have some assurances there that you're dealing with somebody that's worthwhile, that's acting in some sort of an official capacity, I take it.

Mayor Jones: And these will be members of the Water Committee?

Councilman West: Yes. That's what it was before.

Mayor Jones: Yes?

Greg Wingo: Yes.

Seth Thompson: I think the one thing that we definitely need to keep in mind is obviously when it comes to actually finalizing any land acquisition, it would have to be the Council and any final land acquisition discussions would have to be in public. Just a

reminder.

Councilman West: Right. That's the way it was supposed to have been before, but we just couldn't come up with something that was 100% ideal.

Seth Thompson: I guess the one logistical thing in my mind, would the Council look for the Water Committee to fund testing and that sort of thing... In other words, are they going to need money to determine whether or not a location's appropriate?

Councilman Kost: I think after the Committee finds a suitable property, they'll come back here for funding; a two-step process.

Mayor Jones: And as Councilman Kost has very astutely pointed out, this new Land Acquisition Committee is going to have to be very careful that they watch out for the Source Water Protection Ordinances and things that are being worked on right now.

Councilman West: That's why it's best that Mr. Wingo would know some of this stuff, of where to go; because we had four different locations that we had him on the last time and some of it has changed since then.

Mayor Jones: Okay, do you want a motion on each one of the three recommendations sitting here. They are separate.

Seth Thompson: I think we've only really discussed the land acquisition.

Mayor Jones: Right.

Seth Thompson: I would make them separate, just because I think they're not related.

Mayor Jones: That's why I'm asking.

Councilman Garde: I would also request that they be separate, since I intend to recuse myself from at least this one.

Mayor Jones: Okay, so before a motion is made, I just want to run this by Mr. Thompson. We're making a motion that members of the Water Committee, operating as a Land Acquisition Committee...

Seth Thompson: I wouldn't use the term committee.

Mayor Jones: You can't use that. Members of the Water Committee will have Mayor and Council's blessing to go out and look for a potential site?

Seth Thompson: Correct.

Mayor Jones: Or sites for a new water well, treatment plant and potential future water tower.

Seth Thompson: Did we want to put a report date. We've been trying to do what would be Best Practices where...

Mayor Jones: When is it due back?

Seth Thompson: Exactly.

Mayor Jones: When is this due back? When does someone from the Water Committee believe this can come back to Council? When do you meet again?

Greg Wingo: We meet every month, but I'm just saying approximately three months.

Mayor Jones: Okay.

Councilman West: Set it for the June meeting.

Councilman Kost: Greg, when you come back, would you have some idea of cost? If it's going to cost the town, how much money might be involved?

Greg Wingo: Are we allowed to do this? Or are we just going out, finding potential sites that we could purchase? I don't understand if we're going to be negotiating a number?

Mayor Jones: You can't be.

Seth Thompson: Right, exactly. That brings up a good point, that it sounds to me like you're just looking to be authorized to find sites and then the Council's going to be in the position of determining what would be an appropriate price and there are going to be conditions that are going to go along with that, in terms of testing and whatnot. I don't think you guys should be put in that position. Really the Council is going to be the one that needs to control the purse strings on that.

Councilman Kost: I was asking for budget numbers.

Greg Wingo: Councilman Kost, like you had mentioned the step process; basically what I'm getting out of this is for the Committee to go out and to be able to talk to these landowner's and then if we find some good, potential sites then we will bring the findings back to the Council.

Councilman Kost: Part of the findings might be the asking price, so we have some range of numbers.

Seth Thompson: You could certainly do that. I mean, it's always nice to have a willing seller, not that I encourage towns to do it, but you do have your power of eminent domain, that if you feel somebody is charging too much, you can take the property and give them just compensation as you've determined and then go through the condemnation process. It's in Title X.

Mayor Jones: That doesn't sound very popular.

Seth Thompson: It's not a nice thing to do to anybody, so I don't recommend it, but it colors the fact that the town also shouldn't overpay for property; when you're spending taxpayer money, you shouldn't overpay either; especially given the fact that as a government you have an avenue that a normal citizen wouldn't in terms of purchasing property.

Mayor Jones: And you may even bump into someone who's willing to donate the property to the town and we would need to know that information, as well.

Greg Wingo: That's correct.

Mayor Jones: Okay. So we have in front of us, someone needs to make that motion for this to be enabled to go forward.

Councilman West: I make a motion that we allow Mr. Wingo and the Water Committee to move forward on looking for land for future well, a treatment plant and possible water towers in the long range future and report back to the Council by June. That's three months, isn't it, Greg? That gives you plenty of time.

Mayor Jones: Do I hear a second?

Councilman Côté: Second.

Mayor Jones: Does anybody want to discuss it further? Are you recusing yourself Councilman Garde?

Councilman Garde: I am recusing myself from voting on this.

Mayor Jones: All those in favor say aye. Opposed. Motion carried.

h. Recommendation from Water Committee regarding inter-connectivity of water system

Mayor Jones: The second recommendation we have is the Water Committee is making a recommendation to Mayor and Council that the Town of Milton not move forward with inter-connectivity with either Artesian or Tidewater and proceed on their own in order to keep water rates lower for the rate payer's in Milton.

Councilman West: Madame Mayor, I'd like to make that motion that we take the Water Committee's recommendation regarding inter-connectivity on the ground, so what Mr. Wingo said, that it will be cheaper in the long run for the people of Milton. Mr. Wingo has been doing a fine job keeping us in water, so I make that motion that we stay with our recommendation of no inter-connectivity at this or any future period.

Councilwoman Patterson: Second.

Seth Thompson: Wait, just for the future period, you can't bind future Council's, but...

Councilman West: Or at future times.

Councilwoman Patterson: Second.

Mayor Jones: Any further discussion?

Councilman Garde: I have a procedural question. I recused myself at the Water Committee from voting on this particular option, thinking that I would vote on it here; so I ask our Town Solicitor if I can vote?

Seth Thompson: You can vote.

Councilman Garde: I did recuse myself from voting on this motion on the Water Committee, if I recall correctly.

Seth Thompson: You did and the minutes reflect that.

Councilman Garde: Okay, thank you.

Mayor Jones: My only discussion item on this is that I still would have preferred, that Council heard both of these presentations and I'm perfectly accepting of your recommendation. I know that you work very well with my water, my water, because I drink it here too, but I do not agree with your logic that it will keep the water rates lower as I see potential for water income to the Town of Milton, but you and I have had many a conversation. I won't oppose this. So are we ready to vote? All in favor say aye. Opposed. Motion carried.

i. Recommendation from Water Committee regarding Drinking Water Planning Grant

Mayor Jones: Recommendation for application for Drinking Water Planning Grant. The Water Committee is making a recommendation for the Mayor and Council to ask the Town Engineer, Pennoni Associates, to review the application and provide guidance on how Milton may complete a successful grant request. Mr. Wingo or Mrs. Rogers, when is this grant due?

Councilman Garde: This grant is discussed on item Old Business, c. of the Water Committee minutes and it's an application for Drinking Water Matching Planning Grants; they will match \$1 for every \$2 that we spend into this thing and it is a Planning Grant only. It's not execution of anything. They won't fund the first nickel for hardware or even software, per se, it's only for planning.

Mayor Jones: My follow up for that is, planning for what and when is this grant due? If this is just being turned over to Pennoni and it's due in March, this could be tough, so I stick with my first two questions.

Kristy Rogers: My understanding is applications for Planning Grants are accepted all year.

Mayor Jones: All year?

Kristy Rogers: There is a March 26th deadline, if we are going to apply for SRF Funding, but Planning Grants are accepted throughout the year. I would attempt the

same process we followed as the Delaware Coastal Program that we would consult with Pennoni and then come forward with what we want to then go forward with for funding. By means of a Resolution again, if that's how Council would want to go forward, but have an idea in mind from Pennoni what we'd want to go forward with planning for water infrastructure.

Mayor Jones: So this is a Planning Grant for water infrastructure?

Kristy Rogers: Correct.

Mayor Jones: And as far as you know, right now, I'm just reiterating, this Grant does not have a deadline and we may apply for this?

Kristy Rogers: The Planning Grant doesn't have a deadline, but a notice of intent for the SRF Funding, does have a deadline of March 26th.

Mayor Jones: Do we have a cost factor for Pennoni Associates to review the application and provide guidance?

Kristy Rogers: No.

Mayor Jones: I'd like to know what that is. I'd like to have a value on just how extensive this review is and what they're going to be doing.

Kristy Rogers: I would think to move forward, Mr. Wingo and I could meet with Pennoni Associates and just in an hour just discuss what we would want to move forward with. I don't think, at that point, Pennoni would be writing a grant for us, but just giving us ideas of how to move forward to apply for a Planning Grant. I believe in 2012 Milton received a Planning Grant for the 2013 Water Infrastructure Study that they did; kind of just along the same lines, if I'm interpreting this discussion correctly.

Mayor Jones: Correct me, anyone, please, but I almost hear what you're asking for, which is to meet with Pennoni, is an Administrative action and does not need Council.

Kristy Rogers: The second part would be to come back to Council with what to apply for, I guess for the grant, it would be a matching grant situation again.

Mayor Jones: So the question really is, of Council, whether or not they want to participate in the Grant, for which this information will yield results?

Kristy Rogers: Basically, yes.

Mayor Jones: Okay, so what we have is do we want to participate in a Planning Grant?

Councilman West: Do we still have the paperwork on that last Planning Grant? Can we still go by it partly?

Kristy Rogers: It's been reviewed. I don't know what current action is being taken.

Councilman West: Because that would help give you some guidelines too.

Mayor Jones: Well the Planning Grants, I thought both of those actually came in under Referendums; were they Planning Grants?

Kristy Rogers: They were used towards _____.

Mayor Jones: They were. Okay. You had a question Councilman Kost?

Councilman Kost: I'm still a little confused, what are we, in theory, planning for and how extensive will it be and if infrastructure is needed, it could be a piping valve or a tap someplace. It's not very clear.

Kristy Rogers: I could see this going hand in hand with what the Water Committee was just tasked to do is look for land. What would the next step be? Would it be planning for a new well, or is it best to plan for a well and a tower? I think it's just looking into the future for the growth.

Mayor Jones: So basically, Pennoni, along with the Administration would be reviewing some of the identified water issues already in town and putting together a plan?

Kristy Rogers: Right and when we met with Pennoni about the water system mapping project, this would also, the first phase of the mapping would also help locate where in town would be the best locations for a new well and to expand our water infrastructure, they could see like a three-year phase for the mapping system to move forward; but I believe when we have the first phase of the mapping in place, the Planning Grant will also aid in developing and then to move forward with a Referendum again, if that's what we need to do.

Councilman Garde: If I may, Madame Mayor, one of the reasons for this recommendation was that the State issued a document in January of 2015 announcing 2015 Planning Grants; the document, I don't recall how long it was, but we were looking for some suggestions on how to make a successful application and none of the members of the Water Committee thought that we knew enough on how to make a successful thing and we thought we had a consultant who could help us with that and we made the recommendation on the basis that it is March now, but the document was only issued in January and we felt that the town would have a better chance of success, if we had some consulting input after they reviewed the revised document, the January document and gave us some suggestions.

Mayor Jones: Okay, it sounds good. Any other discussion on this?

Councilman West: Do we need a motion on that?

Mayor Jones: We will.

Councilman West: I make a motion to allow Mrs. Rogers and Mr. Wingo to move forward with getting us the information that we need, and the costs, on this Drinking Water Planning Grant.

Councilwoman Parker-Selby: Second.

Mayor Jones: Any other comments? All in favor say aye. Opposed.

Councilman Garde: I recuse myself since I was part of making this recommendation and I hadn't recused on the Water Committee.

Mayor Jones: Motion carried.

16. Executive Session:

- a. Strategy sessions, involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation, when an open meeting would have an adverse effect on the bargaining or litigation position of the public body.

Mayor Jones: I need a motion to go into Executive Session.

Councilman West: Madam Mayor, I make a motion to go into Executive Session.

Councilman Garde: Second.

Mayor Jones: All those in favor say aye. Opposed. Motion carried.

Councilman West: Madam Mayor, I make a motion that we go back into Executive Session.

Councilwoman Patterson: Second.

Mayor Jones: All those in favor say aye. Opposed. Motion carried.

17. Discussion and possible vote on Executive Session items

18. Adjournment

Councilman West: Madam Mayor, I make a motion to adjourn.

Councilwoman Patterson: Second.

Mayor Jones: All those in favor say aye. Opposed. Motion carried. Meeting adjourned at 9:41 p.m.